F O R U M

and Century

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Peace at a Price

Editorial Foreword

CONTRASTING 1914 and 1938, the *London Times* said in a recent editorial:

> A few days' delay in 1914 would have saved 8,000,000 lives. Europe then had lost control of its policies. One country carried another like climbers on a rope into the abyss. The rope binds the nations today. But it is a choice and not blind necessity that now governs a possible catastrophe.

The decision of Prime Minister Neville Chamberlain and the acquiescence of Europe in dismemberment of Czechoslovakia by negotiation instead of by war has been accepted with delirious joy by the public both in the dictatorships of Germany and Italy and in the democracies of France and Great Britain. In puzzled silence, Americans have seen motion pictures of the happy, cheering throngs in the streets of the four capitals, as gay in Paris and in London as in Rome and Berlin.

Only in the United States and in Russia — and, of course, in Czechoslovakia herself — does peace at the present price meet with profound disfavor. In the United States, for the past year or more, when war in Europe seemed to be brewing, the antiwar feeling was a rising tide. Every private poll recorded an "against war" answer from the majority of our people. Now that Mr. Chamberlain has averted war, it is somewhat disturbing to hear so many Americans shouting that war was the answer which should have been given Hitler. Do they feel that to do a great right it is never just to do a little wrong? Why is it that, at this distance from the scene of compromise, friends of disarmament have overnight become advocates of a big navy?

We Americans are at heart more ardent champions of the ideal of democracy, wherever it is threatened, whether in Hankow or in Prague, than we are of even our own democracy at home. We are chagrined at the spectacle of the disappearance of one more democracy, especially the plucky Czechoslovakia that for nineteen years we have admired.

PRICE OF PAST ERRORS

YET EVEN IN this heart of democracy the unspoken relief over Mr. Chamberlain's compromise is tremendous. The stock market has zoomed upward. Factories are calling back their unemployed. And the reputable Gallup poll records a startling rise in the popularity of President Roosevelt, owing to the part he played in pleading for world peace:

> The question before the world today, Mr. Chancellor, is not a question of errors of judgment or of injustices committed in the past. It is a question of the fate of the world, today and tomorrow. The world asks of us who, at this moment, are the heads of the nations, the supreme capacity to achieve the destinies of the nations without forcing upon them

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as the price the mutilation and death of millions of citizens.

Nazi Germany and her Reichsführer are products of those injustices of the past to which President Roosevelt referred. The dismemberment of Czechoslovakia and the militarism of Germany are the delayed results of the errors of judgment of the treaty of Versailles. These errors were pointed out in THE FORUM in 1922, ironically enough by a Jewish American financier, the late Otto H. Kahn. His prophetic article is reprinted in the present issue. Mr. Kahn indicated that the racial allotments of Czechoslovakia were historically impractical. He foresaw that the shackling of the German people would never restore order in Europe.

The realistic fact facing foreign affairs today is that four great races whose ways are not our ways are renewing their youth and determined to have more room under the sun. Russia, Japan, Italy, Germany, all bristling with armaments, have enslaved personal liberty to the might of the state. Until some tragic negation arises, the way of silent disapproval by democracies, of open compromise, of trade when possible and peace even at a price, is a better way of living on the same planet with dictatorships than is the way of insult and war.

Americans who were in England in the recent weeks of suspense appreciate the heroic and unceasing consecration of Mr. Chamberlain, day and night, to the task of preventing war. No means, secret or open, did he leave untried. He was successful in 1938 where Sir Edward Grey failed in 1914.

The scene in London in September was tragic. Although the people were outwardly calm, a visitor had only to talk for a moment with any passer-by to discover the deep, corroding anxiety below the surface. The preparations in London were too grim to be ignored. Sound trucks patrolled the streets, urging the populace to fit on gas masks. At least one visiting American who purchased a gas mask was later heard fervently thanking God for Mr. Chamberlain. The country districts suffered from the same dejection. One farmer's wife was saying to another, "It ain't fair to expect us to fight for them furriners."

The peace achieved by Mr. Chamberlain is indeed a peace at a grim price, but it is not quite peace at any price. With war or without war, Czechoslovakia, as set up by the treaty of Versailles, was doomed. Eventual war between the dictators and the democracies may or may not be inevitable, but, at this writing at any rate, millions of human beings have enjoyed the privilege of living their lives at least another month without being slaughtered or mutilated.

Recriminations by Americans against Mr. Chamberlain or the dictators are futile. Let us rather expend our righteous energies in good example, by being decent to the Jews in our own midst and by affording generous opportunities for education and employment to our unfortunate negro population.

We have been given a reprieve from world disaster. How long it will last we do not know, but for the time being the opportunity for constructive thought and action is with us. There are certain things that we can do to make the reprieve enduring. First, we can declare a voluntary moratorium on international name calling and scolding — in the press, on the air, and in our private conversations. We may disagree fundamentally with the program of the dictatorships but we gain nothing by recriminations. Secondly, we can work to make democracy in America a living, dynamic reality. Finally, we can arm for the protection of our own liberty, however threatened.

NEW ARMORED PEACE

THE WORLD is entering a new kind of international setup, a period in which we are to try out armed and armored peace. We have learned that it is not inevitable that armaments lead to war. Displays of military strength, instead of actual hostilities, are now being used as pawns on the international chessboard. Our elaborate machine civilization, with its complicated technology and new standards of living, requires a correspondingly costly national defense.

If another crisis stupendously tragic for human freedom and the democratic ideal should arise on this planet, America will fight again. Meanwhile, like Great Britain, we will continue to explore every avenue for peace and, at the same time, arm and rearm sufficiently to meet that emergency.

Henry Goddard Leach

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Too Many Automobiles

by **J. GEORGE FREDERICK**

HAS NOT THE TIME come when the automobile — the terrible bloody Turk of modern life — must firmly be shown its proper place and kept there as a vital matter of public welfare?

We are so accustomed today to the presence of the hordes of automobiles we have built and bought that most of us are probably incapable of a dispassionate view of the situation. But suppose, for the sake of a fresh, revitalizing outlook on the matter, we draw this perfectly correct statistical image:

A tyrant from another planet suddenly lands on earth and puts this ultimatum to the American people —

1. Every year I am going to kill violently and painfully as many persons as the United States lost in the 18 months of the World War (and 300 more for good measure).

2. Every year I am going to injure seriously every man, woman, and child in the cities of Buffalo and Washington — a total of 1,000,000 people.

3. Every year I am going to cause you damages of $1,750,000,000, and next year, for good measure, I am going to cause you $1 in damages for every dollar's worth of new automobiles you build ($2,000,000,000).

4. Every year I am going to cause you damage three times as great as the loss from all the fires in your country.

5. Every year I plan to crack down on you a little harder.

Can you imagine the Supreme Emergency Councils which would gather at Washington, the patriotic defiances which would be hurled? Can you hear the passionate language which would be used to describe this horrific threat to American life, limb, and property?

Now what are we to think of the boasted $2,000,000,000 automobile industry if, as is actually likely this year, the nation is losing (besides the lives and the limbs) as much money in total traffic-accident damages as all the passenger cars and trucks manufactured are worth?* We are thus arrived at the fantastic point where our great American automobile factories are no longer able to make and sell as many dollars' worth of cars and trucks as the dollars which car riders waste every year in accidents! And this is to ignore entirely our 1,000,000 injured and 40,000 dead. What is a human life worth? Say it is worth only $10,000 and you have an annual loss in human life of $400,000,000 — from automobiles!

We Americans are a heedless lot. We visit the Gettysburg battlefield and shudder at the carnage which once took place there (7,000 men lost their lives). Do we know that we have a Gettysburg on our roads *every 60 days, year in and year out?*

Even then, we need a cumulative perspective to see the ghastly thing in focus. *This* carnage is *continuous* and *increasing*, despite occasional temporary periods of decline. The automobile industry's wizard, Charles F. Kettering, has urged us to look forward, not backward; let us take a 20-year look. There are learned statisticians who have calculated the 20-year cost of the World War; let us now figure the probable price of the next 20 years' warfare with the automobile.

Under the bloody Turk's tyrannical domination, in that period we may expect that 800,000 to 1,000,000 American citizens will die violent deaths — as though a cloud of bombing planes were to slaughter every man, woman, and child in the city of Cleveland. In 20 years the automobile also will injure every man, woman, and child in the entire States of New York, Cali-

** The National Safety Council estimates the cost of traffic accidents in 1937 at $1,740,000, a jump of $100,000,000 over 1936. This cost covers property damage, medical expense, wage loss, insurance overhead. The outlook is for about a $2,000,000 traffic-accident loss in 1938: a sum approximately equal to the probable total of factory sales of cars and trucks for domestic use.*

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fornia, and Maryland. This toy of ours likewise will cost the nation $38,000,000,000 to $40,000,000,000 — which was about the amount of the whole national income for 1935. And, if we think the cost of human life is worth calculating (at the pitifully low estimate of $10,000 a life), then we will lose $10,000,000,000 worth of human beings. These things we will get in exchange for about $40,000,000,000 worth of automobiles, unless we build them faster — in which case we will then destroy ourselves faster too.

It is difficult to see how this destruction is less awful than that from war or other major catastrophe. The Civil War's record of 493,349 dead is duplicated *every 12 years* by the automobile; and no Appomatox is in sight. The rate of increase, too, is depressing: 1,600 more deaths in 1937 than in 1936. The death rate is 62 per cent higher now than in 1925, 30 per cent higher than 1933. Rural traffic fatalities have increased 180 per cent since 1924.

All this is but *one* aspect of what the automobile is doing to America. It stands at the bar of public opinion charged with at least five other major evils and problems.

II

CRIMINALS HAVE *been provided by the automobile with armored battleships which multiply by 10 their striking power and by 100 their mobility in escape.*

In consequence, America's criminal acts, criminal organization, and criminal population have all been increased in something like the proportion that automobiles have increased in number. Total convictions for crime in all courts in New York State, for example, were only 76,619 in 1916 (when the nation's automobile registrations were only 3,512,996); whereas these annual New York convictions for crime multiplied over 5 times, to 393,804, in 1938 (when automobile registrations had multiplied almost 9 times, to 28,221,201). This country's population had risen during this period only 28 per cent. During this period the murder rate in the United States rose from 8.2 per 100,000 of population to 11 — a gain of about 40 per cent. Larceny, rape, and sex crimes have also greatly increased.

No other large country has anything like so many automobiles — nor anything like so much crime.

III

A MAMMOTH DIVERSION *of family purchasing power has been brought about by the national obsession with the automobile, causing an atrophy of other valuable and important kinds of spending, adversely affecting the rounded development of family life and psychology, and economically damaging many other industries.*

The amount of money spent for shoes, clothing, food, home furnishings, jewelry, books and other "cultural" items, and many additional kinds of goods has been seriously diminished by the automobile, which has been slicing from these other national expenditures at a prodigious rate. Self-confessed, *the automotive industry as a whole secures about one half (in good times more) of the American people's total surplus above what goes for necessities.**

What sound justification is possible for a single item of expenditure which takes half a nation's income above necessities (and, we all know, in many individual instances more)? The "poor" are surprisingly extensive owners of automobiles. A recent Department of Labor survey of low-income families showed that automobiles were owned by 75 per cent of these "harassed" families in Grand Rapids, by 68 per cent of them in Detroit, and by 15.2 per cent of them even in congested New York.

A great depression has apparently not stopped excessive automobile spending — we are spending more at filling stations than in 1929. Although total retail spending as a whole in 1937 was 18 per cent below 1929, gasoline-station spending was 139 per cent of 1929 — a vast total of $2,500,000,000 worth. *One fifth* of all American retail spending in 1937 was for autos, accessories, and gasoline. "Second only to food," reports a recent survey of the Department of Agriculture.

Ten billions out of 1928's $79,000,000,000 income was a very huge slice, a sum as large as the entire national income in 1890. Put it this way: We are in the habit of spending nowadays on automobiles as much as the entire nation

* *E. P. Blanchard, general chairman of the production division of the American Society of Automotive Engineers; 1928. He said that, of America's $15,000,000,000 of surplus above necessities, the automotive industry gets 55 per cent, the 1928 total spent for cars having been $6,600,000,000, with $3,172,000 more going for tires and gasoline; roughly, a total of $10,000,000,000 if we count in the many small extras.*

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spent for everything, from food, clothing, building, and taxes to battleships, in 1890. And from another angle: In 1860, the American people spent for transportation one ninth of what they spent for food, housing, and clothing; in 1928 they spent *one quarter*. In 1860, the American people spent .07 per cent of their total income on transportation but, in 1928, .14 per cent; an increase of *200 times*.*

House furnishings, home building, clothing, and (to some extent) food have suffered most from the automobile's economic hoggishness. It is a fact easily demonstrable by anyone that vast numbers of people, even well-to-do people, drive streamlined up-to-the-minute automobiles but live in homes that are utterly outmoded, furnished with goods which belong to the iron-deer era. The furniture interests in 1928 made a survey of 48,600 families and found that 79 per cent of them had only a spasmodic interest in furniture, 47 per cent expressing very little or *no* interest. It has become satirically axiomatic in the floor-covering field that the average family buys rugs "once when they are married and once again if they get rich." We can see what happens when we look at the hypothetical family of $2,000 annual income, of which 77 per cent, or $1,540, must normally be expended for basic necessities, leaving $460 for "discretionary" items. *This family buys a car* and uses up not what Engineer Blanchard says is one half the surplus above necessities but *virtually all of it.*

Department of Labor surveys showed in 1936 that the average income of American families is $1,300 a year. Other surveys show that, when the income per person in the family is only $100 per year, 2 per cent of income is spent, on the average, for automobiles; when the income is $300 to $400 per person, this figure rises to 9.2 per cent; when $600 to $700, 11.2 per cent; when $700 and over, 15.9 per cent.

IV

A TRAFFIC AND CONGESTION *problem of gargantuan proportions has been created in population centers and is now greatly reducing the conveniences of motoring while, at the same time, in various ways, making raucous, foul, and unbearable our cities, towns, and countrysides.*

Their heads beclouded in their large-scale fantasies, the automotive-industry magnates have unloosed on America not only a murderous juggernaut which makes every town street and main country highway a shambles but also a stench in the nostrils, a dizzy whirligig for the eyes, and a boiler factory for the ears.

A definite traffic crisis is here (indeed, has been for ten years). The blunt truth is that either the automobile must be radically curbed or else we must pull down our cities and rebuild them at fabulous expense. It is either the automobile or the city as we know it today: a duel to the death. Both cannot exist in the same world. Not only is a city like Boston a ridiculous sight, with its narrow "cow path" streets trying to accommodate the modern Niagara of automobiles, but so is even a city like Washington, laid out with great spaciousness and all that was known of city planning.

The city traffic experts are desperate in their efforts to prevent a disastrous freezing up of traffic. Trucks with greater capacities and dimensions than standard railway freight cars thunder along quiet "residential" streets, and sensible urban citizens have long ago given up hope of anything but incredibly wearisome inconvenience and loss of time when driving a car in a city. The parking problem is a nightmare, and already there is a well-defined movement to set up shopping centers outside central city areas.

Even the rebuilding of our cities (at a cost far exceeding the worth of all automobiles running today) would not solve the problem; it would only invite more floods of cars into places where cars have no business at all — where only pedestrians, trees, air, light, and quiet should be. Has any maniac ever suggested that railroads be run through every street and freight cars shunted about in them? We supposedly sane folk have done virtually that.

V

THE PLEASURE OF MOTORING *is now almost a memory and a delusion — what with vast masses of cars trying vainly to move in a hurry; what with drunken and irresponsible drivers and the constant hazard of minor collisions; what with the desecration of roadsides with hot-dog stands and the commercialization of every place of natural beauty.*

Hundreds of thousands of city people have had enough of what was once their delight —

* *See Robert R. Doane:* The Measurement of American Wealth.

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to sally forth with the family on Saturday or Sunday for a pleasure drive. For twenty miles or more around the larger cities, on week ends, automobile driving has become at best a horrible bore, at worst a dangerous and nerve-racking job.

The drinkers, the speed demons, the irresponsible joy riders on our roads today make life in an automobile one long, desperate hazard. No wonder that an officer of an expert chauffeurs' association gave, as his best piece of advice to drivers, "Drive as if every other driver you meet may be crazy." I do; he is. I was once crashed into by a one-eyed old man of sixty, lit with rum and driving around a curve at forty-five miles an hour; but his sharp insurance company was able to checkmate every move I made to obtain damages. On the other hand I've been billed for damages myself half a dozen times and, I am confident, undeservedly. That's not really unusual.

VI

THE PREVAILING "AUTOMOBILE-MINDEDNESS" *is a distinct detriment to our health, physical and mental.*

Abroad, walking (also bicycling) still is fashionable and, incidentally, a health builder. American tourists are usually aghast at the walking Europeans do. Car-crazed America has forgotten it was granted legs by the Creator and has too heavy a food intake, too little exercise as a result. About the Long Island countryside where I live I am looked on as a curiosity because I occasionally strike out for a walk. In my last fifteen years of such country strolling, it is a fact to which I attest with my honor that I have never met another human soul taking a walk.

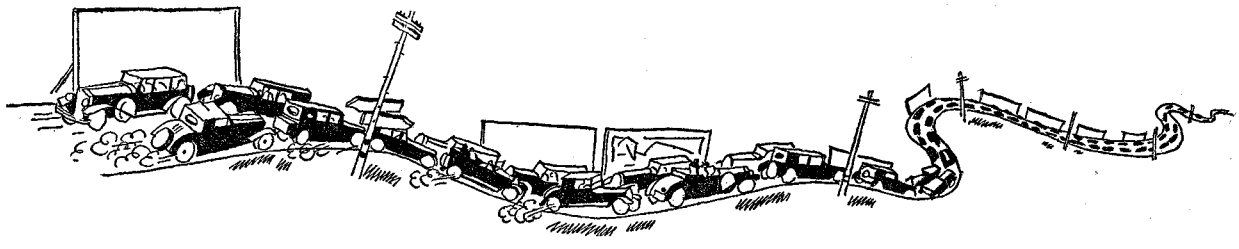
The average roadside eating place is another offender against good living. The smells and sounds of traffic-filled streets are likewise culprits. If we could arrange to be born encased in all-steel bodies, we might hope to endure the belching monoxide-gas fumes, the succession of nerve-shattering noises, the ever lurking dangers which mere human flesh and blood are asked to take as a matter of course in this modern saturnalia of steel on wheels. I think it is more than a coincidence that mental disorders have increased with leaps and bounds along with the automobile registrations.

Every bad American personality trait and every social evil has been hyperstimulated, and made vastly more difficult to control by the automobile.

Alcohol has been implemented with superhuman speed and power. If, as scientists now certify, even one drink may slow up driving reactions for a vital second, then possibly one quarter of the drivers on the road at almost any time (but especially at night) are subnormal in driving ability, as well as paranoid in their sense of power and daring. These menaces are being supplied with cars that can go 80 or 90 miles an hour, when (as an insurance company says in a booklet) death begins at 40. Forty-one per cent of all accidents result from exceeding speed limits, driving on the wrong side of the road, or other reckless driving; and offenders in these respects each year kill 13,700 people and injure 344,310.

The restless, the frittering, the gadding, the neurotic side of American character has found in the automobile an outlet as thrilling, fantastic, and degenerative as the marijuana cigarette. Giddy millions of mice in an endless whirligig — that is perhaps the realistic picture of America driving her 29,000,000 cars, largely to nowhere, for little else but the sense of perpetual motion.

In a pessimistic mood, one is inclined to say, with some justification, that nobody reads much, nobody converses much, nobody relaxes much, nobody thinks much nowadays. Motion is god, and the automobile is his high priest. Even our sense of pity and of the value of human life may be in process of being blunted by the brutality of our automobile age. What else could you expect when, every 13 minutes day and night in America, an auto kills a human being?



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Let's —

Curb the overliberal installment selling of cars, the forcing of cars on dealers, the high-pressuring of sales.

Enforce no-parking rules on many carefully selected "express" streets in cities; discourage casual city driving.

Limit size and restrict routes of trucks and buses; tax them more.

Stop making cars of superspeed; slow down on model changes, to force obsolescence.

Set up stricter driving tests, with medical-certificate requirements; bar drivers under eighteen.

Close in harshly on the accident-prone driver and the drunken driver.

Increase punishment of all traffic violators; stiffen inspection of cars, forcing the junking of some of the 5,000,000 below-par vehicles in operation today; extend uniformity of motor-vehicle and highway rules; speed research of safety problems, particularly highway engineering.

Discourage utterly disproportionate space given free by newspapers to automobile trade news, making the auto industry a publicity pet.

Foster, with some of the auto and gas profits, a few cultural interests, with the idea of helping the motorist find a worth-while objective at the end of a drive — that he may not be merely a votary of the obscene god, MOTION.

Skyscrapers

In Babylon and Nineveh
They had no towers like these!
The Agate columns kiss the stars,
The very Pleiedes.
The soaring turrets rise like dreams
Against the age-old skies,
A man-made vision filled with bliss
And beautiful surprise.

Wild dreamers made them thus ascend,
To shake the world anew,
To pierce the pathway of the moon,
And touch the distant blue.
Each marble fane is like a shaft
To point us to the sun;
And even yet the lordly work
Of man is never done.

New cities flash their dreams aloft
In tireless desire.
High move the shining parapets —
High, and high, and higher.
And Solomon with all his gold
Knew no such dream as this;
And Egypt never knew a town
Like our metropolis!

Like pigmies stand the pyramids,
And palaces of old
Are like the sleep of weary kings
Whose tale is long since told.
These are the strong cries of strong men,
Rising beside the sea. . . .
Will they, in the far days to come,
Ruins and dead dreams be?

Charles Hanson Towne

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The 'Mentalist' Rackets

by **GEORGE B. ANDERSON**

"Listen, Mr. George," a grimy auto mechanic said, "I lost this diamond ring I'm talking about last Saturday, and it was one my mother gave me before she died. If you'll tell me where I can find it, I'll be glad to pay you ten bucks." He was deadly serious. I had never seen the man before in my life.

This was in Waterloo, Iowa, where I was billed as "Scotty George, the man with the X-ray eyes." I was earning money to pay my way through college by driving a car through traffic while blindfolded, under the auspices of a newspaper engaged in an advertising promotion campaign.

My opening speech to the crowds never varied. "I frankly admit that what I do is a trick," I always informed them. "I claim no supernatural powers of any kind. All I have to say is that my trick is a good one and I challenge you to discover how I do it."

Despite this open disavowal of occult power, I never appeared in a city in which some person didn't try to force money on me for advice on some matter — from how to break a will to methods of disproving paternity. I had never solicited any "see" business and always turned down the offers, a bit bewildered at receiving them.

This time, however, I decided to have some fun. Through the practice of magic ever since I had been a kid, I knew a good deal about the mind-reading racket.

"I don't want your money," I told the mechanic, "but I'll be glad to help you. . . . You had this diamond ring last Saturday morning, didn't you?" (That was a safe statement, because he had said he lost it on Saturday.)

"Yeah," he agreed. "It wasn't until I got to work at the garage that I noticed it was gone. It was kind of loose for my finger, and I'd been meaning to get it shrunk or something."

I knew by this time that he had lost the ring between the time he had arisen and the time he had gone to work. And I remembered reading that a mind reader's usual advice to a person who has lost a ring is to investigate the lavatory plumbing, since many rings are lost down the drainpipes.

I lapsed into what might have passed for a trance. "I see you washing your hands," I said. "The ring slips from your finger while your hands are soapy. It goes down the drainpipe. I can't quite see whether it's still in the joint under the basin or not, but you'd better look. If it isn't there, the chances are that you'll have a mighty hard time finding it."

He thanked me as if I had already restored his ring and tried to give me the ten-dollar bill he was holding. I refused to take it, and he fairly flew out of the alley from the stage entrance of the theater, where I was getting ready for a performance that was part of my stunt. I grinned and forgot about him.

When I'd finished my show, I got ready to go out for dinner, but was met backstage by the manager of the theater.

"Say," he said, "there's an awful crowd of people out in front trying to get to see you. Some bird told 'em you gave him the dope on where to find a diamond ring he'd lost, and they all want you to answer questions for 'em."

I took a peek. The mechanic had found his ring and had evidently rounded up all his relatives, friends, and casual acquaintances for the opportunity of a lifetime to have their problems solved. It took me half the night to get out of the theater without taking their money and answering their questions.

The Suckers' Money

Almost everyone has seen alleged mind readers at moving-picture theaters and, more recently, in night clubs, and has been impressed by the convincing performances of the charlatans. Unless you happen to be one of the more

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credulous, however, the chances are that you've never had a private reading from one of the seers.

But, just because you've never fallen for the occult racket, don't think that the pickings are slim. Out in California, for example, the harvest has been so lush in recent years that motion-picture magnates are trying to run the revealers of the future out of the State. Many a movie star has put a motion-picture production behind the eight ball because of misguided advice from a "mentalist" (the name preferred by members of the craft). Only a few days ago, one of the movie gossip columns carried this item: "Richard Dix has patronized the same fortune teller for over ten years."

How good the "take" from private readings can be is indicated by the number of mentalists who will do their acts in theaters without charge to the theater management, simply for the privilege of selling scopes (shop talk for horoscopes) containing coupons entitling the purchaser to ask a question in privacy. The reason for the horoscope book and similar dodges is an antifortunetelling law that prohibits acceptance of pay for occult advice.

Most of these horoscope books can be bought from the publishers for from five to ten cents a copy and are sold for a dollar — with the free-question coupon included. When the mentalist is selling horoscope books, the stage performance is really little more than a showcase for his wares. It is a showcase that sells merchandise, incidentally, and many independent theater managers will book a mind reader only on condition that half the "private reading" money revert to the theater.

Radio was pay dirt to the craft until censors grew squeamish.

One radio oracle is said to have paid ten thousand dollars a week for daily time on a powerful station and to have netted himself a profit of four or five thousand by giving a free question with every bottle of perfume purchased for one dollar.

A radio seer who went to Mexico when the going got rocky still receives sacks of mail every day from the Midwestern States.

"Melroy," a radio mentalist who built up a tremendous following in the corn belt and later took to the air waves from Mexico, makes personal-appearance tours of his best territory at frequent intervals and is able to get good bookings on the strength of the amount of mail he has received from the city in which he seeks a date. Most of his mail has had money in it — money not for advice but for the product he sells. The advice is given without charge.

Iowa, Nebraska, South Dakota, and Kansas were long considered money territory by the mentalists. Old Doc Brinkley's radio station in Kansas was a frequent host to the purveyors of light. The doctor told his hopeful followers how to achieve rejuvenation, and the mind readers followed with a glimpse of the future.

I once heard a mind reader who went under the name of Doctor Richards tell a radio audience from station WNAX, at Yankton, South Dakota, that he had given advice to several presidents of the United States. He spoke rather less grammatically than most presidential advisers.

Most students of the profession believe that radio profits are small potatoes compared to the incomes of the more expert private seers. But there's no way to get an accurate estimate, because the business is closely veiled in secrecy. Even supply houses ask and get fabulous prices for information and equipment. Occasional newspaper stories of credulous seekers after truth who have been bilked of hundreds or even thousands of dollars would indicate that there is plenty of gold in those hills. Edward Saint, business manager for Beatrice Houdini, the widow of the late foe of spirit mediums, believes the private-reading gross would amount to at least two million dollars annually in this country, and his estimate is as good as that of any living person.

The fraudulent profits these private seers amass could be overlooked, as there are always fools ready to throw their money away, were it not for the disastrous consequences which sometimes follow their questionable advice. People who believe in mediums will do what the mediums advise, and the advice is often

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lousy. Suicides, loss of jobs, marital difficulties, and many other misfortunes can be traced directly to the door of so-called mentalists who haven't the judgment to confine their pronouncements within safe limits.

There are all kinds of mind readers, ranging from grimy, illiterate stew bums and crones to the suave, sleek, and thoroughly ruthless practitioners who cater to an upper-crust clientele. Perhaps the small-timers of the negro and tenement districts are less dangerous than the smoother and more affluent mentalists, for blackmail is seldom a sideline with the two-bit fry.

The Society of American Magicians has waged intermittent war against mediums, on the ground that their existence reflects on the art of prestidigitation. But its efforts to reveal the secrets of the mediums have been squelched by dissension in the organization and by threats of the mediums to publicize the secrets of all the good conjuring tricks by which professional magicians earn their honest, if more modest, livelihood. At one time, when Julien Proskauer, now a high officer in the magicians' organization and nearly always under fire for alleged exposing of magicians' secrets, was waging battle against the mediums, one Doc Irving, manager of "Princess Yvonne, the psychic wonder," threatened to rent a theater and expose every trick of the magic craft.

Tricks of the Trade

The first thing the private medium must do to impress the client is to learn the customer's question without asking what it is. Obviously, it would be a tactical error for a mind reader to ask his client what was on his mind. Usually, the visitor to the medium's office is asked to write his question on a piece of paper, to "fix it more firmly in your mind."

In one method of operating, the customer is given a common file board with a clip at the top, to which are affixed a few loose sheets of paper. He is told to write his question and put the piece of paper in his pocket. But the file board is a cleverly constructed device containing a carbon sheet beneath its outer surface, and whatever the customer writes is faithfully duplicated for the medium's private perusal.

The simplest and commonest way of obtaining possession of written questions is the "switch." The customer writes his question on a small paper billet, which is folded several times and tossed onto the center of the table. The medium lights a match to it and proceeds to answer the question. But, in moving the billet from the table to the saucer on which it is burned, he has meantime switched it for a duplicate billet which has been palmed in his hand. Beneath the table or beneath a crystal ball which he holds on his palm, he reads the note without difficulty.

One medium has his clients write their questions on small cards and seal them in drug envelopes. He holds an envelope up to his forehead, miraculously reads the question, and tosses the still sealed envelope back to the awed customer. The secret is a pencil he holds in his hand, the eraser on the pencil being a cleverly contrived sponge receptacle for odorless alcohol or naphtha. This is brushed against the side of the envelope facing the medium, so that the writing on the card becomes plainly visible for a few seconds. The alcohol dries, and the envelope is returned intact.

A medium may have visitors write their questions on slips of paper and seal them into envelopes. The medium then toys with a closed book whose title bears on the occult sciences. During his preliminary speech, he tosses the envelope carelessly upon the book which he is holding in his left hand and presently proceeds to reveal the question and answer it in whatever way he sees fit. His book will be found to have a powerful flashlight concealed in its false body beneath the plain jacket. The book jacket and the envelope subdue any telltale glow that might give the secret away when the light is turned on, but there is enough illumination to make the customer's writing easily read.

Baffling the Customers

Anna Eva Fay was the forerunner of modern mind readers and reaped a golden harvest. Most present practitioners, however, say that her methods were crude.

Before the advent of the file board with the concealed carbon paper, questions were usually obtained by gathering slips of paper in a basket which was passed through the audience. These slips were dumped from the basket in a conspicuous place on the stage and "never left the sight of the audience." The basket was known to the profession as a changing basket and had a false bottom which threw a set of fake ques-

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tions, probably those from the previous performance, to the top, concealing the questions that had just been written. The basket, apparently empty, was taken offstage, and the questions were relayed to the medium in various ways.

When the medium wore a turban, it was reasonable to assume that the turban concealed an earphone and that the questions were being relayed by telephone. If the medium used a crystal ball, the questions were usually rewritten by an assistant offstage onto a "reader roll" which was held beneath the crystal and which resembled a type of "crib" sometimes used by schoolboys to provide information for examinations. In the "faro" card reader, cards are slipped into view much as playing cards appear in a faro dealer's hand box. I have known mind readers to have questions and the names of the questioners penciled on their cuffs, and occasionally one will be so crude as to have a page of written questions on the table in front of him.

One of the cleverest methods of getting information at the proper time consists of a watch with the works replaced by two rollers containing adding-machine paper. The questions are copied on the adding-machine roll and slipped into the watch, the face of which is cut away enough to show one question at a time. The mind reader says in his introductory remarks that he will be able to devote only two minutes to answering each question submitted by members of the audience. So saying, he removes his watch from his pocket, holds it in his hand before him, and proceeds to read the questions as the spirits bring them to mind.

Variations of the old "one ahead" question-reading methods are still used, and some of them are quite clever. In its simplest form, the one-ahead system consists of adding a fake question to the pile that is collected from the audience. The mentalist picks a folded question from the pile and "catches" it from the spirits as his own fake question. After revealing and answering the fake question, he opens the billet to verify it, in reality getting possession of the words that appear on a legitimate slip. He picks another from the pile, proceeds to "catch" the question he has just read, asks the writer to verify it, opens the billet to check it, and goes in that manner through the entire lot.

The most advanced practitioners of the question-answering art do not even require members of their audience to write their questions.

A tiny radio outfit is used by some. The assistant passes through the audience, asking each person to whisper a question to him so that it may be transmitted by thought waves to the medium. When the spectator whispers his question, a tiny microphone beneath the shirt front of the assistant and opening into a shirt stud catches the words and fairly blats them into the turban-covered ear of the medium.

Another method, which is almost foolproof and suckerproof, does not even use any mechanical contrivance. Spectators whisper their questions to the assistant, and then, themselves, ask the medium to answer, which he immediately does. The assistant makes no suspicious moves; indeed, the séance can be conducted with the theater in darkness. Neither does he engage in any lengthy conversation with the medium, thus giving the audience the impression that they cannot be using a code. But that is actually what they are doing. All the questions that are ever asked have been broken down into a set of one hundred questions and variations of them. These questions and their variant words are memorized by a system of mnemonics. Perhaps the cleverest part of the whole system is that the assistant never addresses the medium, giving all his information when he tells the spectator to "ask Mahatma to answer your question." People will leave a theater where this act has been presented and swear to their friends that "it couldn't possibly have been a code; the fellow never said a word to the medium." The entire system can be bought for ten dollars.

Saying Nothing Impressively

Of course, there is much more to the mind reader's job than telling you the question you're "thinking of," although that is the feat that impresses you so much that you take his advice seriously. Answering questions is a real art.

Five or six books have been published on the subject of answering questions in the mind-reading act. The main idea is to give the impression of being very specific while in reality being as vague as possible. All the experts caution against giving definite advice on problems

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of domestic relations, finances, and changes of employment. It is to be regretted that many mind readers do not follow these rules.

For example, let us say that you have asked the mind reader whether or not you should make a change of employment.

The mentalist who knows his business will say: "I get the impression that you are thinking of a change of some kind. I believe it's a change in your work. Is that right? You've been offered a new job. Correct? The advice I get from the spirits is for you to consider the change from every angle before taking any steps. Do nothing until you are absolutely satisfied in your own mind that a change would really be for the better. Is that clear?"

Sad to say, many mind readers would answer the question with a flat *yes* or *no*. Of course, the mentalist has a fifty-fifty chance of being right. If he is right, he becomes a great man in the eyes of the customer. If he's wrong — well, there will be more customers, and he will be right next time.

Did you ever try to fool a mind reader with trick questions? Don't do it, because you haven't a chance. The mentalist can spot a trick question a mile away, and he doesn't let them trip him up. If he is performing before an audience, he has two courses of action: he can ignore your question altogether or he can make you look like an idiot.

One mentalist delights in following the latter course.

Suppose you have asked him how much money you have in your pocket. Obviously, he doesn't know. He comes to your question: "I get the impression that a person with the initials P.C.R. has a question for me. Will P.C.R. please raise his right hand?"

You lift your hand, confident that you're going to make the Mahatma look like a monkey.

"Due to its delicate nature," the Mahatma continues, "I will not repeat your question. My advice to you, P.C.R., is to visit a reliable physician at once before you suffer serious consequences from your folly."

He passes to another question, having created a sensation with his audience. You know he has pulled a fast one, but a thousand other people in the theater have been impressed.

Again, you may ask him how old you are, and he will answer by telling you that "it will be neither a boy nor girl but both — twins." This never fails to draw a laugh at your expense.

Ordinarily, however, the mind reader relies on a "specific vagueness" to carry him through. Every year, of course, he can buy from a supply house a list of from fifty to a hundred sensational predictions for the year, made by competent authorities in almost every field of human activity and based on logical deduction.

One clever mentalist made much of the fact that he had predicted the election of the late Warren G. Harding to the presidency of the United States before Harding's nomination as the Republican candidate, and he had authentic newspaper clippings to prove it. He also had clippings, however, from twenty-seven other newspapers, in which he had predicted the election of twenty-seven other men. (Even so, he must have had some spiritual guidance in picking Harding as one of the twenty-eight most likely candidates.) He was able to get good bookings and to make substantial sums of money in private readings from the impression of infallibility his "Harding Next President" clipping created.

Another mentalist who works before large audiences has caused sensations by "catching" and answering questions that have been neither written nor spoken but merely thought of. Impossible? Certainly not.

He does it this way. In the course of answering routine questions, made accessible to him in several ways, he stops abruptly and says: "I get the impression that someone by the name of Margaret is trying to get through to me with a question that was not written down. It is something about family matters. Will the person who's thinking of that question please stand up?"

In an audience of a thousand people, it's a certain bet there is at least one Margaret or Mary or Edna listening. And there are at least three sure-fire general subjects for her: family, romance, money. Whether he suggests a problem to a woman and makes her think she was concentrating on it before he spoke or whether at least one woman by the right name is sure to be thinking about the subject he mentions — he doesn't know or care; but he almost never fails to get a woman to stand up. A few times, he has been slightly embarrassed when two or three women have arisen together.

Once he has established the fact with the

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rest of the audience that he has pulled a question right out of the poor woman's mind, he gives a vague answer that could cover almost anything she might have been thinking about.

The Private Reading

The seer who works in private has a much better opportunity to get information. Here is how he usually operates:

You enter his office, and are instructed to write two questions and your name and address on a card. He instructs you to fold the card so that he won't be able to see what's written on it and drop it in the center of the table. He picks up the card and lights a match to it.

Of course, the card that is going up in smoke is a dummy, and he is reading your questions and your name beneath the edge of the table (all the while talking to you about the need for concentration on your part), but you don't know this.

"The spirits give me the impression that your initials are J.J.B.," he says finally. "Is that right?"

You acknowledge it.

"Let's see," he goes on slowly. "Your first name is John, and your last name is Brown. Correct?"

Again you are forced to admit his accuracy, and you are beginning to be impressed in spite of yourself.

The first question you asked on your card was: *Am I going to inherit some money soon?*

"The spirits seem to be trying to tell me," the medium says cautiously, "that there's been a recent death in your family. Is that right?"

"Yes," you say, eagerly. "My Aunt Matilda."

"Yes, indeed," he nods sagely. "Your Aunt Matilda. It's all clear now. And she left some money, didn't she?"

You nod.

"But there's something hazy about that money — some trouble or something that isn't quite clear."

"She didn't leave any will," you explain.

"That's right," he agrees quickly. "No will. And you want to know whether or not you'll inherit any of that money, don't you?"

You admit that's your question.

If the medium you've visited happens to have business affiliations with a lawyer and doctor, as many of them do, he'll advise you, at this stage of the game, to see a lawyer and will give you the right lawyer's name, invariably that of a shyster.

"Leave everything in Mr. Shyster's hands," he advises, "and you'll come out as well as you possibly can. Of course, what I see in the crystal indicates that you won't get your share of this money without some trouble. There are obstacles in your path, but the spirits assure me you have an excellent chance of clearing them if you'll keep constantly on the alert."

That is what actually happens, but this is what you tell your friends:

"I went to this mind reader. He'd never seen me before and didn't have the slightest idea who I was. He told me my name and that there had been a recent death in our family. He even told me that it was Aunt Matilda who had died and he wouldn't have had any way in the world to get that information. He went on to say that she left some money but didn't have any will. How do you explain that, if you don't believe in spirit mediums?"

Of course, it can't be explained, and friends who have always believed in your veracity will be impressed. Some of them will visit your medium. They, too, will leave his office with remarkable but inaccurate stories.

I do not know any instance of a professional or even a good amateur magician's having ever been at all baffled by anything performed at one of these séances. If you should be sufficiently impressed by a mentalist to consider parting with more than one dollar for a "private reading," my advice is to hunt up an amateur or professional magician and take him along. The difference between the magician and the medium is that the magician uses trickery as a form of entertainment while the medium sells it for something it isn't to sincere but misguided people, many of whom can ill afford to be the victims of what must be one of the world's oldest con games.

Next month:
"Suicide Doctor,"
by Weldon Melick

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DIVORCE

The Reno Method, and Others

by **WILLIAM L. PROSSER**

DIVORCE IS a specter-ridden branch of the law. The scandalized and indignant ghosts of black-robed ecclesiastical figures, long since dust, stalk through the courthouse when the plaintiff takes the stand and testifies concerning the misunderstanding at the bridge table. Our courts are dealing not so much with law as with a sad mixture of religion, liberalism, and expediency.

Divorce has always been a religious matter, since the law of Moses permitted a man whose wife found no favor in his eyes to write her a "bill of divorcement" and send her out of his house. The Christian doctrine which underlies our law is derived from two somewhat ambiguous passages in the gospels according to Matthew and Mark, in which disputing theologians have been able to find an absolute prohibition of all divorce whatever, a sanction for divorce on the ground of adultery only, and an approval of liberal divorce provided there is no remarriage. Upon this controversy, which has raged for some nineteen hundred years and is no nearer solution, the Catholic Church superimposed the article of faith that marriage is a sacrament.

If marriage is a sacrament, it follows that only a priest can dissolve it. For that reason, the power of divorce, in Catholic England, was exclusively in the hands of the ecclesiastical courts, whose judges were priests and whose law was the law of the Church. Their interpretation of the scriptures was that there could be no such thing as absolute divorce, as we now know it, but only a separation "from bed and board" (on such grounds as adultery and cruelty) or what we now call an annulment (for causes such as a prohibited relation between the parties, existing at the time of the marriage). When Henry VIII obtained the most notorious divorce in history from Catherine of Aragon, there was no court in all England which could give it to him when the Church refused.

Henry got his divorce by act of Parliament and incidentally created his own church in the process. For three full centuries afterward, Englishmen could do no more than follow his example. Parliamentary divorces were obtainable by those with wealth and influence. Almost invariably they were on the ground of adultery, and obtained by the husband. It was not until 1857 that a divorce court was created

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in England, with adultery as the only ground. That court has been merged since then with probate and admiralty jurisdiction and is familiarly known as the Court of Wills, Wives, and Wrecks. It has been a great deal in the public eye of late, thanks to the Duchess of Windsor and Mr. A. P. Herbert's bill, which was finally enacted, to remedy a situation which, in many respects, was even worse than anything in the United States.

Running the Gamut

The American colonies did not take over the established church and its ecclesiastical courts. The courts which were created here had only the powers of the courts at common law, which did not include divorce. Thus the only resort was the legislature. The early history of divorce in this country is a disgraceful record of political relief to gentlemen with influence who were weary of their wives. The open scandal of such divorces led at last to their prohibition by constitutional amendment in most of the States and to the passage of statutes which conferred divorce jurisdiction on the courts.

The upshot of all this is that the courts have no powers except those that are expressly given to them by the written law. As a result, we have literally fifty-two different divorce laws in the United States and her territories. No two of the States are alike in this respect. They range all the way from South Carolina, which refuses to allow divorce at all and permits only limited separation, up through New York and the District of Columbia, which require adultery as the sole ground, to such States as Kentucky, which specifies some fifteen grounds in elaborate detail.

There is no apparent rhyme or reason in the distribution of these statutes. Massachusetts, with her Puritan and Catholic background, has relatively liberal divorce laws; New York and New Jersey, with their liberal, cosmopolitan centers, are extremely strict. Georgia and Minnesota are liberal, while Florida and Iowa are not. Even in the same State, over a period of years, the laws have varied. One can trace three different periods in the history of North Carolina, in which she was first conservative, then liberal, then strict again. The cycle seems to begin with a rigid divorce law, which is modified by adding new statutes piecemeal, to fit some individual case, until a public scandal or an attack from some religious group leads to their repeal — after which the process starts all over again.

Adultery is recognized as a ground for divorce everywhere except in South Carolina. Most States — but not all — recognize cruelty, and it is here that the courts have played some part in opening the door to liberal divorce.

Nearly all the statutes require something more or less extreme: "cruel and inhuman treatment," "extreme cruelty," "intolerable cruelty," "indignities to the person," and the like. It is at least possible that what the legislature had in mind in each case was nothing less than an actual physical beating. But the courts recognized very early that there might be worse kinds of treatment than mere assault and battery. They proceeded to define "extreme cruelty" as any conduct which threatens to do injury to life or health or to make a continuation of the marriage unsafe.

From this there has been born that "mental cruelty" which has so greatly amused the newspapers — described as a systematic course of ill treatment, continued scolding and faultfinding, unkind language, studied contempt, and petty acts of a malicious nature. The plain truth of the matter is that it is a rare household which, given only one side of the story, cannot produce enough of this sort of thing to make out a plausible case in court. There has been an increasing inclination to listen with sympathy to the wife's tearful narrative of the brutal husband's rough language. The courts of the State of Washington have gone so far as to say that mental cruelty is any conduct which makes it impossible for the parties to live together without unhappiness — and this of course amounts to nothing more than a divorce for incompatibility.

Medieval Survivals

Close after cruelty follows desertion, which must be continued for one, two, or three years prior to the commencement of the suit. The penchant of our lawmakers for applying epithets is again illustrated by the adjectives which are coupled with desertion: it must be "willful," "obstinate," "determined," "persistent," "intentional," or "malicious." Desertion means more than nonsupport, which sometimes is listed as a separate ground; it is the

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deliberate leaving of one spouse by the other and living apart with the intention not to return. It should be obvious that the presence on the statute books of such a ground for relief affords an opportunity for any couple tired of matrimony to strike off the shackles; all that is necessary is for the husband to desert the wife, who must then merely wait the required time before suing.

After desertion, in a descending scale of importance, follow such grounds as habitual drunkenness, imprisonment in some State institution, incurable insanity, nonsupport, and sexual impotence — which last seldom appears in court, however large a part it may play in causing the actual separation. In addition, there are a great many freakish provisions, passed to cover some particular case, such as the rather common one that a divorce shall be granted whenever there has been continuous separation under a court decree for a period of five years.

No picture of the law of divorce would be complete without mention of the old ecclesiastical defenses, which were given such terrifying names as collusion, connivance, condonation, and recrimination.

The courts of the church were very suspicious of divorce suits and careful that the sacrament of marriage should not be set aside merely because husband and wife had agreed on it. At the slightest indication that there had been collusion between the parties or that one had aided the other by providing grounds for divorce, the church would at once throw both parties out of court and deny any relief at all. This attitude was continued by the American courts when they took over divorce jurisdiction. If any evidence comes before the court today that there has been co-operation between the parties, it is the duty of the judge, of his own motion, to interfere and dismiss the case or even to set aside the decree after the divorce has been granted.

"Condonation" rested on the notion that the church would not resurrect, as ground for divorce, an offense which had been forgiven; so that, if a wife continued to live with her husband, with full knowledge of the facts, she was denied relief.

"Recrimination" goes back to the natural position of the church that a divorce would be granted only to an innocent party. If the plaintiff herself has been guilty of conduct which would be ground for divorce, she has no standing before the law. Or, as Professor Chafee of the Harvard Law School is reported to have put it —

> Both parties having behaved in such manner that the continuance of the marriage relation is intolerable, relief is refused to both, and the happy home is ordered restored.

Such is the law in the books. The whole theory is that the suit is a contest, a controversy, with hostile parties and nothing concealed from the court. But, when we look at the law in action, we find an entirely different state of affairs.

Getting a Divorce

In the ordinary jurisdiction, the woman who wishes a divorce — and, with relatively few exceptions, divorce suits are brought by women — goes to a lawyer, who draws a paper variously entitled a declaration, a petition, or a complaint. This document proceeds to allege that on a particular date her husband deserted her and has uninterruptedly continued the said desertion until the present time. Or, if she cannot or will not swear to that, the ground is that over a period of years he has "subjected her to a deliberate and systematic course of cruel and inhuman treatment, of which the following are specific instances" — and there follow a series of those lamentable incidents without which no marriage would be complete.

This paper is served on the husband, together with a summons, which gives him some thirty days to answer it.

He does not answer it. He does nothing at all.

The point of the whole matter is that he is not required to answer it. He cannot be compelled to defend himself, and, if he does not, the court will have no evidence except that of the wife.

At the end of the thirty days, the plaintiff's attorney files an affidavit declaring that the suit is uncontested and puts the case on the court calendar.

There is then a delay of about ninety days — the exact period being fixed by statute or court rules, to permit any last-moment change of heart.

When the case is called for hearing, the plaintiff, her lawyer, and two or three witnesses

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to corroborate her story march into the court-room — a melancholy little parade, the women usually in tears, the attorney invariably full of dignity.

The plaintiff takes the stand, testifies to her residence in the State, her marriage, and the bare outline of the things alleged in the paper which the judge has before him.

Her witnesses add a word in support of her story.

The judge may ask her one or two questions, in a perfunctory manner, but he is usually a gentleman, there are many other cases waiting, and so the issue is a foregone conclusion. He signs the order which the attorney has ready for him.

It is all over and altogether it has taken less than ten minutes.

Where is the husband all this while? At the other end of a telephone, waiting to hear the good news.

Why did that marriage really go on the rocks? Nobody knows — perhaps not even the lawyer. There has been no contest, no hostile party, and no assurance whatever that we have got at the whole truth.

It is no wonder that we are haunted by ecclesiastical ghosts.

This is by no means an exaggerated picture. Five years ago, Leon C. Marshall and Geoffrey May conducted a survey of the divorce records of Maryland and Ohio for the years 1929 and 1930, under the auspices of the Institute of Law of Johns Hopkins University and the Judicial Councils of those two States. Neither Maryland nor Ohio can be classified as a particularly liberal state, as to divorce laws. In all, the records of 10,075 divorce suits were examined. The cases in which the issue of divorce and its grounds was contested amounted to less than four and one half per cent of the total. The rest were uncontested — in other words, cases such as that described above. There is no reason to believe that any different record would be found in the other States of the Union.

The Lady in the Bedroom

In New York and the District of Columbia, where the only ground is adultery, divorce goes equally by default, but the process is not so easy.

Adultery is difficult or, at least, embarrassing to prove. But the courts have helped matters out by creating a presumption that, when a man and a woman are found together in a bedroom, the worst possible interpretation is to be put upon the matter. In the words of an ancient judge, "it is presumed he saith not a paternoster there." All that is necessary is for the husband to be found in a hotel bedroom with a lady who is not his wife, preferably in some state of partial undress. On this evidence, the court automatically grants the divorce.

There are plenty of vermin on the roll of attorneys who will furnish the room, the feminine exhibit, and the detectives who break in the door and include a charge for this service in the fee. These divorce offices commonly touch the edges of prostitution, blackmail, and other rackets, and the whole situation is an utter disgrace.

The pattern of our law of divorce, then, is one of a set of involved and widely differing statutes on the books, which pay lip service to the demands of the churches that divorce shall be granted only on genuine and serious grounds, if at all; while, as these laws are administered in our courts, what we really have is a system of consent divorce, with a miserably clumsy and expensive system of registration. The situation is not unlike that which existed under prohibition — the law requires that divorces be granted only on prescription, while the speakeasy in the courthouse around the corner pours them out in volume at so much a head.

Contrary to the popular belief, the problem is not primarily one of perjured testimony. Most witnesses in divorce cases tell only the literal truth, so far as they go. Desertion is easy to accomplish, if the wife is only willing to wait; "mental cruelty" is an inevitable accompaniment of any marriage which has been a failure; and even the blonde in the black pajamas is a physical fact, although she may have been hired for the evening. The evil lies rather in the shabby attempt to compromise between the stand of the churches and the increasing demand for liberal divorces.

No one can be very well pleased with such a picture. It seems likely that the situation will be worse before it becomes better. The divorce rate is increasing rapidly, and any effort to alter the law to deal with it invokes such violent opposition from those who are

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opposed to all divorce that it is clear that our present laws will be with us yet a while. Something may be accomplished by the domestic-relations courts in many of our larger cities, which make some attempt to discover the actual facts in each case and now and then refuse the divorce, particularly where there are children to be protected. But such courts are feasible only in the cities, and even they are handicapped by hearing, in uncontested cases, only one side of the story. No real solution exists short of a slow process of education and a definite decision as to whether we really want consent divorce.

RENO — AND AFTER

THERE ALWAYS has been one jurisdiction in this country to which refugees from matrimonial conflict have fled for easy divorce. Once it was Indiana, then the Dakota Territory, and still later Utah. In recent years Nevada has reigned supreme.

As everyone knows, divorce is a business in Reno. The life of the town depends on it, from the hotels and the gaming houses to the Young Men's Christian Association, which would otherwise be unable to fill its dormitory or balance its budget. It is useless to repeat what everyone knows. A town with a population of twenty thousand has reached in one year a peak of more than four thousand divorces, which have provided its gratified inhabitants with a revenue of more than a million dollars — a magnificent reversal of the usual process by which the public supports the lawyers and the courts.

A business so pleasant and lucrative will have its competitors. Arkansas and Idaho are attempting to draw the divorce trade, and we have the edifying spectacle of the courts of three States scrambling for customers, like so many salesmen of crackers, pickles, or dried fish. Mexico has been hanging hopefully on the outskirts and is even willing, for what they may be worth, to provide divorces by mail — an innovation which is frowned on by those conservatives who consider that divorce should continue to remain a branch of the hotel business.

Divorce is quite simple in Reno. The applicant journeys thither for a vacation of forty-two days among very pleasant surroundings, has her choice of several convenient grounds, and escapes a public hearing unless she insists on it.

But a commercial enterprise must be judged by its product. What actual value has a Reno divorce?

It is repeating an old story, quite familiar to all competent lawyers, to say that, legally speaking, it has no value at all. The result is precisely as if it never had occurred. The divorce is not even valid in the State of Nevada, as the Supreme Court of that State has declared on the four occasions when the question has been brought before it. The Supreme Court of the United States has held, in three decisions back in the old Dakota days, that such a divorce is no divorce at all. There are some sixty or more decisions in the other States of this country to the same effect. On not one single occasion has any court of last resort outside the State where the divorce was granted ever decided that it was legally binding and entitled to recognition. The law is uniform and beyond all question.

Apparently no amount of repetition by lawyers can convince the public at large that a divorce granted on the basis of a temporary residence anywhere — in Nevada, Arkansas, Idaho, Mexico, or Paris — is not worth the paper on which the decree is written. The reason is very simple. The power to grant a divorce, to determine that a party has ceased to be married, lies exclusively in the courts of the State in which he has his home. The legal word for it is *domicile* — meaning the place where he resides *with the intention to stay*. In the absence of such an intention, neither the Nevada legislature by its own bootstraps nor any other authority in this country, short of a constitutional amendment, can create a jurisdiction in the State.

The Nevada courts are quite aware of these limitations and have not challenged them. The record shows a permanent resident in Nevada in every case; but that record is open to attack in every court of law in the country. And, when it is attacked, the fact of the temporary residence will speak for itself.

After Reno, then, the parties are still married. The carefree male visitor to that earthly paradise who returns with his decree may find that he not only still has a wife but that he has stirred up trouble enough to make his life a burden to him for some time to come.

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He is still required to support the spouse of whom he expected to be rid forever, and he may go to jail if he does not or be sued by those who furnish her the necessities of life. He may find that he has given her ground for divorce, with alimony or for a suit for separate maintenance; and the Nevada decree is worse than useless as a defense. She still retains her interest in his property; if he owns real estate, he may find that he cannot sell it without her consent. And, if he dies, she will inherit her share of his estate as his wife, because there has been no divorce.

If he marries for the second time, his difficulties really begin. The second marriage is entirely void, and any children born of it are illegitimate in the eyes of the law. The second wife has no legal rights whatever, whether of support, property, or inheritance; nor has the husband any legal right to her society, property, or estate. She may be sued for alienation of affections by the annoyed and vindictive first wife, in States where "heart balm" has not been abolished by statute. The climax may come when the gay divorced husband finds himself prosecuted by the State for the crime of bigamy — or for adultery or fornication or lewd and lascivious cohabitation or other things which have a most unpleasant sound. To all of these he has no shadow of a defense under the criminal law. None of these possibilities is in the slightest degree remote or fanciful; each of them finds ample support in a series of decisions in our appellate courts.

They Still Go West

Every lawyer worth his salt knows all of the foregoing. Why, then, do people flock to Reno to obtain a decree which the Supreme Court of Nevada herself has declared to be worthless? Why do even the children of prominent lawyers incur such a risk?

It must be confessed that some of the risks are not very serious. Criminal prosecutions for bigamy and adultery seldom occur; the danger is there, but only an infuriated spouse with political influence is likely to move the prosecuting attorney to take action. Property rights may, to some extent, be adjusted by contract before the divorce, and the question of inheritance may be taken care of by a similar contract or by a will. For the rest, it is a matter of trusting to the good sense and restraint of the other partner.

Many go to Reno from New York, where an individual with any sense of common decency shrinks from the hotel room and the hired blonde in the black pajamas. The Nevada decree, of course, is not necessarily the end. With the social stigma removed by the trip to Reno, remarriage will provide a legal basis of adultery, on which a valid divorce can be obtained; the thing is often done in two steps instead of one. So long as the arrangement is carried out, nothing goes wrong; it is only when it is broken that disaster follows.

But there remains a large group of unfortunates who go to Reno because they do not understand the legal invalidity of the decree. Undoubtedly there is gross misrepresentation of the law by Nevada attorneys eager for the fee — a form of common swindling which is a disgrace to a sovereign State. And many, of course, go because any divorce would be contested bitterly — and defeated — at home. They are not to be envied when they return to face a deserted and justly indignant spouse and the perils of the law.

There is no immediate remedy for all this. A federal divorce law would be a desirable thing, but it would require a constitutional amendment and would meet with furious opposition. The only ultimate remedy is a slow education by the lawyers, which may teach the public in time that this state of affairs is not to be desired.

Next month:

"I'm a Husband-Housewife,"

by David A. Bates

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How Big a Navy?

A Debate

I—Keep the Navy for Defense!

***by* ERNEST LUNDEEN**

United States Senator from Minnesota

I BELIEVE in an America strong enough to defend herself against any foe; I believe in a navy strong enough to make not only the United States but the Western Hemisphere forbidden ground for any invader. But I do not want to build a supernavy, for gallivanting in Europe and Asia.

I have supported every regular army and navy appropriation. This year our regular annual appropriations for the navy have been increased by one hundred million dollars. We have also largely increased our expenditures for the army, coast defenses, and aircraft. With such increases I have no quarrel. But to go beyond these appropriations is out of all reason, if defense is our objective.

I see no common sense in the proposed appropriations for a supernavy. The expense, according to present estimates, will run into one billion, one hundred twenty million dollars. As a matter of fact, high naval authorities admit that, owing to changed conditions and unforeseen events, the cost will reach the staggering total of two billion dollars. That is bad enough, but it is not all. Two billion dollars is only a beginning.

Once we launch a navy — not to protect America but to police the world, not to protect our form of government but to dictate forms of government to other nations — only the sky will be the limit of our expenditures. The American taxpayer, crushed to earth by unbearable tax burdens, will find himself staggering under a load such as the world has not seen before. For astronomical budgets demand astronomical taxes!

A supernavy, built in excess of common-sense requirements for defense, would denote the definite entry of the United States into an international armament race. It is difficult to escape the conclusion that our armament program is intended to parallel or, rather, to complement, England's. Whether there is a written agreement with Great Britain or not matters little. We certainly act as if definite, fixed understandings of co-operation and joint action existed — understandings made without a mandate from the American people and without the knowledge and consent of the United States Senate.

America has a fixed foreign policy that runs like a golden thread down through the years, unbroken until the Wilson administration. It is interwoven with our destiny as a nation and it has been confirmed by every great president, irrespective of party. It was the policy of Washington and Jefferson, of Jackson and Lincoln. This fixed foreign policy, from which we can depart only with consequences disastrous to ourselves, is that of "friendship with all nations, trade with all nations, and entangling alliances with none." It obviously implies abstention from the quarrels of other nations which do not vitally and immediately affect the United States.

Once we build a supernavy, foreign powers will attempt by hook and crook to drag us into their alliances and "gentleman's" agreements. If we had a supernavy to place at the disposal of our ex-allies today, the chance for a New Deal among nations, a rational readjustment between the "haves" and the "have nots," would be slim indeed. War, likely to come in any case, would be inevitable. But, if the American people clearly demonstrate their determination to keep hands off, if we build a navy

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equipped primarily for defense, the war enthusiasm of those European powers who desire to safeguard their loot at our expense under the mask of collective security would cool off considerably.

Those now in charge of the British Empire take a more realistic view of world-wide events than those who advocate a "quarantine" of so-called aggressor nations. English ships, it is true, are found on every sea, but England has vital interests to protect in every quarter of the globe. We are in a different position. Nevertheless, our gunboats are patrolling Chinese rivers. Our navy frequents the war zone of Japan. Our wandering warships meddle and muddle everywhere. If they intrude themselves into lines of fire often enough, there may be another *Panay* "incident," with heavy loss of life to shock the American public. A stray torpedo may strike one of our ships; and who can trace the origin of the missile fired perhaps deliberately to embroil us in distant wars?

II

I AM BY NO MEANS a "Little American." If I were to demark our territorial waters, I should draw a line through the Bering Sea, the Hawaiian Islands, the Panama Canal, the Virgin Islands, and the north coast of Maine. Beyond that I recognize the duty imposed on us by the Monroe Doctrine. This doctrine excludes any foreign power from colonizing and maintaining by force any settlement or conquest in North or South America.

From time to time we have found it expedient to expel foreign powers from the Western Hemisphere. Spain was the last European power compelled by us to withdraw. It is not inconceivable that the tendency to disentangle the Western Hemisphere from the fortunes of Europe may go further. It may in time affect other powers. But we have no interest beyond this hemisphere. Our field is large enough to engage all our efforts and absorb all our energy. For that reason I notice with grave apprehension the propaganda that sweeps our country to divert us from home.

What right have we to lecture the rulers of other nations and to tell them how to govern themselves, when we do not seem able to take care of our own affairs? A recent investigation of unemployment, made under my direction, forced me to accept the terrifying conclusion that unemployment in the United States exceeds by several millions the total unemployment of all other countries in the civilized world put together. Among our thirteen million unemployed, there are five million youths between the ages of sixteen and twenty-five who are out of school and out of work. It is more important for us to find work for these youngsters at home than to deliver sermons, oozing with righteousness, abroad.

There are some who know no better counsel than to make all these boys shoulder rifles. They see in a war a way out of the depression. I beg to differ. It is our business to enable these youngsters to earn their food instead of turning them into cannon fodder! It is our business to find work for all our unemployed and to devise ways and means for an adequate social-security program. These are problems that clamor for drastic action. They are more important than the moral satisfaction which some of us may derive from weeping on the shoulders of John Bull every time something goes wrong for him in Europe or Asia. These problems cannot be solved by sending our men to slaughter on far-off battle fields.

Yet death on far-off battle fields and far-off oceans is the destiny to which our young men are consigned by those who secretly promise Great Britain American aid to perpetuate her rule. Wilson urged us to make the world safe for "democracy." The champions of "collective security" want to make the world safe for "the democracies." There is no difference between the two catchwords except that one is singular and one plural. Both are equally menacing to democracy in the United States.

A wise man does not walk into the same trap twice; yet our world savers propose to repeat, step by step, the errors that led us into the World War. Let us curb our tongues and recall our wandering ambassadors-at-large before it is too late, before America is committed too deeply. Let us inoculate the internationalists with American patriotism. Let us make it perfectly clear that we want no *ism* except Americanism. Americanism means social security at home and neutrality abroad. It means the protection of American interests but no foreign adventure. It means a strong navy but no supernavy. It would be suicidal for Uncle Sam to give the collective-security boys a supernavy to play with!

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II—An Inadequate Navy Is Worse Than None

by **MILLARD E. TYDINGS**
United States Senator from Maryland

I AM IN FAVOR of a navy strong enough for any conceivable emergency. An inadequate navy is worse than no navy at all. An inadequately armed country has the illusion of being protected, without being able to enforce respect for its rights in a crisis.

On April 6, 1917, the United States entered the World War.

With the seriousness of that step, the country naturally wondered whether it was prepared on land and sea to give the men who would do the actual fighting the weapons and support they required to achieve success.

We were not prepared.

I was a soldier in that war. My machine-gun company trained for a while with blocks of wood representing machine guns. When we reached France, machine guns were furnished us by the English. There, for the first time, we learned how to take them apart and put them together again, how to operate them under varying conditions day and night, and how to train them from maps to fire on areas which could not be seen.

Likewise, much of our artillery was supplied us by the French. So were trucks and airplanes to a great extent. In other words, we had the men, eventually, but we did not have the arms and equipment. These we obtained from foreign governments, and many of our soldiers became acquainted with them for the first time abroad. The result was that some men went into action not as well equipped to defend themselves as they might have been had we been prepared for that great struggle.

The lessons of that war left a deep impress on us all — those who went and those who stayed behind. The loss of life, the tremendous expenditure of treasure by our country created burdens of government many of which are with us today. As a result, there will be in the future, in my opinion, a very understandable reluctance to send our troops again to fight on foreign soil. I share this reluctance and trust that never again shall we be drawn into a conflict beyond our borders.

We do not maintain a large standing army. Russia, Italy, France, Japan, Germany, Great Britain, Poland, Jugoslavia, Rumania, Czechoslovakia, China, Spain, and many other nations maintain larger standing armies than does the United States. While we need a good highly trained, perfectly equipped regular army, supplemented by the national guard and organized reserves, it is not necessary, in order to protect our shores, for us to match the tremendous military establishments of Europe and Asia. But, if we are not to have an army comparable in size and power with those of other nations, we must have an adequate navy which in case of attack can defeat the enemy or, at any rate, successfully hold him off until our army can be expanded to meet our defense needs.

If we do not have such a navy along with our comparatively small though effective army, we should be in a poor position to defend ourselves if one or more enemy nations should attack us.

This country has a coast line perhaps ten thousand miles in length. The Atlantic Ocean, Gulf of Mexico, and Pacific Ocean all bring our nation down to the sea. At present our navy, taken by itself, is about the size of Great Britain's and by the commonplace yardsticks, perhaps twenty per cent larger than Japan's.

Undoubtedly our navy could give a good account of itself against an equal, such as Great Britain, particularly if the conflict were on this side of the Atlantic. But, if another World War were to come and we were attacked or drawn into it, as we might well be, by a combination of several countries having strong navies, our security would be diminished.

We must keep in mind that this country of ours is about three thousand miles wide and that there are only two ways of getting from one coast to another by water — through the Panama Canal or around Cape Horn. In time of war, it is necessary for us to defend both east and west coasts, to say nothing of Alaska, Hawaii, and other possessions. Were the Panama Canal to be destroyed, there would be no means of getting our navy (or parts of it) from one ocean to the other, except around Cape Horn. In determining the optimum size of our

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navy, these factors have to be considered now, not after a war has started.

Remember that it takes about fifty-four months to build a big fighting ship. Construction of such ships cannot be commenced after a war has started, if they are to be of use in the emergency. Four and a half years are needed before they are ready to put to sea.

II

THE QUESTION IS: Do we want a navy the equal of any? Do we want no navy at all? Or do we want one in between?

To have no navy at all means that we are not prepared to defend our ten thousand miles of coast line. Our commerce could be halted, and our cities could be threatened with destruction from the planes of hostile aircraft carriers lying out of sight two or three hundred miles off at sea. From the decks of such ships and without prior notice, sixty planes can take off with bombs, fly quickly over New York, Philadelphia, or Baltimore for ten minutes, let their bombs loose on these cities, then fly back to sea and land on the decks of the ships. To have no navy at all is to put ourselves in the position of Ethiopia in her recent war with Italy and China in the present invasion by Japan.

To have a navy second to the largest navy in the world, say one half the size of our present navy, is to ask naval officers and seamen, in case of war, to go forth and meet an enemy more powerful in every respect than they. Those who advocate such a navy would not want to be the officers and sailors on the decks of our ships, were they fighting such a force.

The last alternative, then, is to have a navy the equal of that of any other country, which means a navy superior to that of Japan and the equal of Great Britain's.

We do not know today just how large the Japanese navy is. We do not know whether the Japanese are building bigger ships than any that now float. This we do know: that in many places in Japan, carefully guarded, new fighting craft are being constructed and sent down to the sea. This likewise is true in Great Britain, where keels for fighting craft of all kinds are being laid and the work pushed rapidly. Our problem, therefore, is a practical one. Shall we keep pace with Great Britain and Japan or shall we allow our navy to fall behind?

Wishing to be let alone was not enough in Ethiopia or China or Spain or Austria. Here are four concrete cases in which strong military powers invaded unprepared countries. Shall we take a chance and leave our country, with her small army, without adequate defense at sea?

My answer is *no*. I am in favor of a navy second to none. God grant that it may never have to fight. No rational person can look on modern warfare except with horror and as a thing to be avoided in every conceivable way. Modern warfare in many respects touches on the verge of barbarism, and that is why I detest war as I do and am as eager to avoid it as the greatest pacifist in America.

In case it comes, I want to feel that we have a fleet, officered and manned by our citizens, which, under reasonable anticipated circumstances, can keep these barbarities from the cities and towns of the Atlantic, Gulf, and Pacific coasts; which can make it so costly for an enemy to attack us that he will not do so; and which, if he does do so notwithstanding, can hold him off until our army, national guard, and organized reserves can be assembled and placed at their proper stations to repel invasion.

Maybe, if we had no army or navy at all, we should never be attacked. Maybe, if we had no army or navy, we should not share the fate of Ethiopia, China, and Austria; but this much cannot be gainsaid: *With a good navy, we are not as likely to be drawn into a war or threatened with attack as if we had no navy at all or an inadequate one.*

A navy the equal of any, supplemented by a comparatively small but highly trained and efficiently equipped regular army, supported by a national guard and an organized reserve, is the best possible insurance for peace, particularly when considered in the light of the last five or six years of world history.

Next month's debate:
"Two Views of Munich"
— Cecil Harmsworth and Wickham Steed

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The Forum Quiz

Most people get pleasure out of testing themselves to see how many odd facts they know. This monthly quiz, designed especially for FORUM readers, is aimed to please them but not necessarily to measure their intelligence. The questions should not be difficult for the average person to answer, and the editors will change the form of the questions — for variety's sake — from time to time. A good score, counting 2½ points for each question correctly answered, is 65 (answers on page XII of advertising section).

1. *Sigmund Freud, who gave the postwar generation such splendid excuses for cutting capers, has recently:*

   (*a*) *joined the faculty at the University of Chicago*
   (*b*) *gone to live quietly in London*
   (*c*) *agreed to psychoanalyze Samuel Goldwyn*

2. *Even if you just skim the book reviews, you'll know that "Listen! the Wind" is the title of a recent:*

   (*a*) *novel by John Steinbeck*
   (*b*) *play by J. B. Priestley*
   (*c*) *book by Anne Morrow Lindbergh*

3. *The present holder of the women's national golf championship is a sturdy, freckle-faced young lady named:*

   (*a*) *Glenna Collett Vare* (*b*) *Patty Berg*
   (*c*) *Alice Marble*

4. *Home decorators will find it easy to pick out the most recent of these furniture styles:*

   (*a*) *Mission* (*b*) *Swedish modern* (*c*) *Monterey*

5. *To do the Lambeth walk properly, you and your sweetie pie:*

   (*a*) *strut; circle; stamp; and say, "hoy"*
   (*b*) *just do the collegiate shag, in evening dress*
   (*c*) *dance as in the Virginia reel, only slower*

6. *If (heaven forbid) you were singing "Invictus" on Major Bowes's amateur hour, you'd have to remember the missing line:*

   Out of the night that covers me,
   Black as the pit from pole to pole,
   I thank whatever gods may be

   (*a*) *For the sight of an English knoll*
   (*b*) *That I, my life control*
   (*c*) *For my unconquerable soul*
   (*d*) *For chicken, en casserole*

7. *The socially conscious chairman of the board of the United States Steel Corporation is a thirty-eight-year-old, prematurely gray chap by the name of:*

   (*a*) *William McChesney Martin, Jr.*
   (*b*) *J. P. Morgan, Jr.*
   (*c*) *Edward R. Stettinius, Jr.*

8. *One reason why our country's relations with Mexico are noticeably strained these days is:*

   (*a*) *the wearing of serapes by visiting tourists*
   (*b*) *the unregulated flow of peons into the United States*
   (*c*) *the expropriation of American properties in Mexico*

9. *If someone were to say, "All right — consider Switzerland; take away the Alps, and what has it got?" it would be appropriate for you to applaud this:*

   (*a*) *cacophony* (*b*) *solecism* (*c*) *bon mot*

10. *Which one of these authors would you describe as of huge physique, given to torrents of words, inclined to write mostly about his Southern family and Southern friends:*

    (*a*) *Thomas Wolfe* (*b*) *Ernest Hemingway*
    (*c*) *Erskine Caldwell* (*d*) *William Faulkner*

11. *If you are a bright young lady and your new beau says he follows the Dow-Jones averages, you know that he is interested in:*

    (*a*) *racing handicaps* (*b*) *genetic research*
    (*c*) *the stock market*

12. *One of these causes the death of more Americans each year than any of the others:*

    (*a*) *heart disease* (*b*) *cancer*
    (*c*) *pneumonia* (*d*) *housemaid's knee*

13. *Did you know that the phrase, "pie in the sky," first appeared in:*

    (*a*) *a speech by Harry Hopkins to WPA workers*
    (*b*) *one of Westbrook Pegler's columns*
    (*c*) *an I. W. W. song by Joe Hill*

14. *When you see the first two words of the slogan, beginning "Motorists Wise," you know that the last word is:*

    (*a*) *Alkalize* (*b*) *Simoniz* (*c*) *Standard-ize*

15. *William Wordsworth once wrote, "My heart leaps up when I behold," but do you recall that what he saw was:*

    (*a*) *a tavern on the Wye* (*b*) *a beauteous maiden's eye*
    (*c*) *a rainbow in the sky* (*d*) *an oven filled with pie*

16. *The gnomish-looking chairman of the Federal Communications Commission is named:*

    (*a*) *Jesse Jones* (*b*) *David Sarnoff*
    (*c*) *Frank R. McNinch* (*d*) *William Gibbs McAdoo*

17. *The genial Clifton Fadiman, who conducts the "Information Please" radio program, is also:*

    (*a*) *a well-known book reviewer*
    (*b*) *operator of a New York burlesque theater*
    (*c*) *owner of the world's largest collection of wooden Indians*

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18. *The advertised way for men to avoid "five o'clock shadow" is for them to:*

(a) *gargle with Listerine*
(b) *use Gem razor blades*

19. *The short cut to Utopia recently voted down by Californians was planned to:*

(a) *give everybody a movie job at $7.00 a day*
(b) *pay twice as much to old folks as the Townsend plan*
(c) *provide people over fifty with $30 a week*

20. *If someone thrusts a finger under your nose and shouts "Martha Graham!" at you, you know he is referring to:*

(a) *the original fan dancer* (b) *a child violinist*
(c) *the leader of a modern dance group*

21. *If the dictator of a country is dead set on absorbing a neighbor nation, he will probably proclaim:*

(a) *that he needs the neighbor's resources, intends to take them*
(b) *that he is doing it to maintain peace*
(c) *that a foreign war is better than war at home*

22. *People who know say that one of the most important things we can do to improve our correctional system is to:*

(a) *suppress comic strips about criminals*
(b) *improve construction and operation of county jails*
(c) *make all jail sentences shorter*

23. *The second largest city in the country is now:*

(a) *Los Angeles* (b) *Philadelphia* (c) *Chicago*

24. *In only one of these sentences is the word "hackle" used correctly:*

(a) *Let's take the ball through right hackle.*
(b) *Shall we hackle the speaker?*
(c) *This hackle is a mighty pretty feather.*

25. *If your wife, gazing at you across the dinner table, inquires, "Do I resemble Scheherazade?" you will reply, with all the wisdom of Solomon:*

(a) *"You can tell even wilder stories, my dear."*
(b) *"No, my pet, you're much prettier than that sinner."*
(c) *"Why-uh — pass the gravy."*

26. *Most men can tell you that the cummerbund is:*

(a) *the official Nazi organization in America*
(b) *a sash worn in place of a vest.*

27. *The person usually credited, if wrongly, with first saying, "Lafayette, we are here," was:*

(a) *a fighting captain of the Lehigh football team*
(b) *George Washington, answering a transatlantic phone call*
(c) *General Pershing, after landing in France*

28. *In one of these sentences, the word "satrap" is used correctly:*

(a) *The bear had a foot caught in the satrap.*
(b) *He has been satrap of this province for years.*
(c) *Look out! — those satraps will bite!*

29. *The new biography, "Sailor on Horseback," deals with that doughty hobo, rancher, oyster pirate, and socialist writer:*

(a) *Ernest Hemingway* (b) *Jack London*
(c) *Ambrose Bierce*

30. *Think twice before you decide which one of these products uses the slogan, "They Satisfy":*

(a) *Robert Burns cigars* (b) *Whitman's candies*
(c) *Chesterfield cigarettes* (d) *National caskets*

31. *The electrical organ which has of late made such inroads into the organ business is the:*

(a) *Hammond* (b) *Macaffee* (c) *Anderson*

32. *The way to pronounce "incognito" is:*

(a) *in-cog'-ni-to* (b) *in-cog-ni'-to*

33. *Only one of these statements is true:*

(a) *Paul Revere had to repeat his ride for the newsreels*
(b) *Greta Garbo eats nothing but pickles for lunch.*
(c) *F. D. R. will balance the budget this year.*
(d) *Isaac Newton discovered the law of gravitation.*

34. *The left-wing magazine read by many radical Americans is called:*

(a) *"D.A.R. News"* (b) *"New Day"*
(c) *"New Masses"*

35. *The latest and probably the best biography of Benjamin Franklin was just written by:*

(a) *John Erskine* (b) *Emil Ludwig* (c) *Carl Van Doren*

36. *The current litigation between the federal government and the large film companies deals mainly with:*

(a) *block booking* (b) *taxes* (c) *union recognition*
(d) *Shirley Temple's working hours*

37. *Any hunter knows that a covey of quail is:*

(a) *enough to feed eight hungry sportsmen*
(b) *any number of birds, a flock*
(c) *the ones he didn't get after tramping all day*

38. *The founder of the Red Cross was:*

(a) *the French surgeon, César Ritz*
(b) *the English nurse, Florence Nightingale*
(c) *a Geneva banker named Henry Dunant*

39. *No, it's not socially significant, but see if you know which of these ladies is paired with the wrong husband:*

(a) *Elsa Lanchester and Charles Laughton*
(b) *Dorothy Thompson and Sinclair Lewis*
(c) *Helen Hayes and Ben Hecht*

40. *If you are invited to a party of film folk in Hollywood, you may as well be resigned to:*

(a) *swarms of little men with candid cameras*
(b) *being thrown in a swimming pool, fully clothed*
(c) *a lot of proletarian piffle uttered by $100,000-a-year producers*

Do you think these questions are too hard? Or are they too easy? What type of question do you prefer? The Editors will be interested to learn readers' opinions about the Forum Quiz and will try to mold it to suit them.

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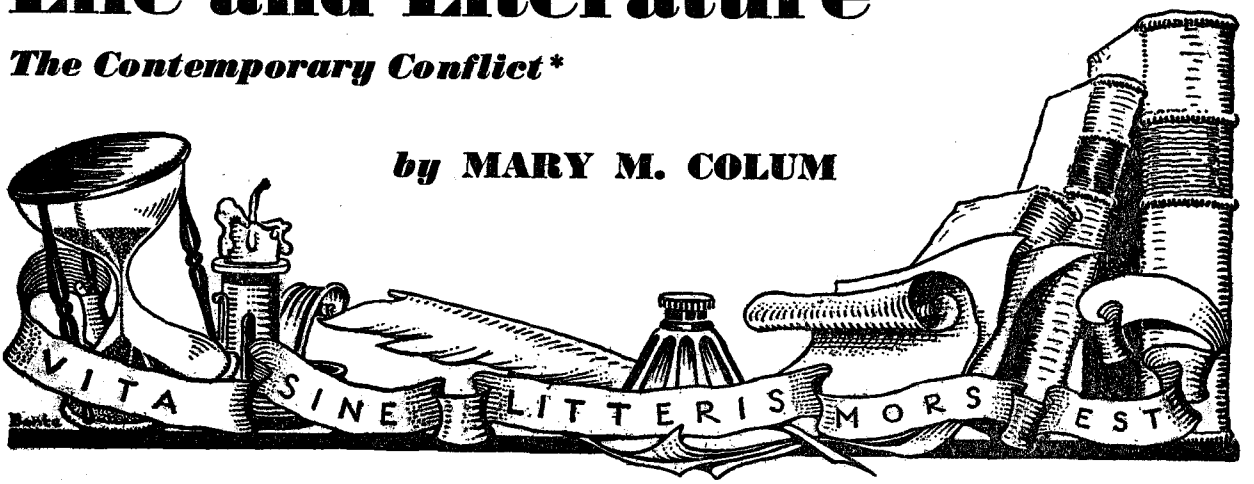
Life and Literature

*The Contemporary Conflict**



by **MARY M. COLUM**

THE PUBLIC at the present time, publishers declare, is avid for political books, books, one supposes, about events in Europe — events there are a forcing ground for new political ideas or new applications of old ones. To the average reader in America, involved in his daily life, a realization of the way the world at present is dominated by ideas and philosophies may be difficult, and he is anxious to read something or hear something that will clarify his mind as to the ideas behind democracy as well as the ideas behind the opposing political systems. Because of their comparative simplicity and directness, the ideas behind fascism are easier to state than those behind democracy.

The value of some of the books before me — Thomas Mann's *The Coming Victory of Democracy*, Bertrand Russell's *Power*, Professor Whitehead's *Modes of Thought* — is that they do present, though maybe in a difficult and diffused way, a real notion of the philosophy behind democracy, a philosophy which its enemies deny it possesses. For we have actually arrived at a stage in history in which democracy (considered by the advanced minds of the nineteenth century as the great ideal toward which humanity in all places was progressing) is being challenged by a powerful opposing political idea — that of fascism, in which great numbers of people, in which powerful states hold an impassioned, even a fanatical, belief.

The world has once more got itself entangled in one of those quarrels, between two opposing beliefs and ideas, which in the past brought so much misery and persecution in their train. If both could exist in the world without one trying to throttle the other, it might be best of all, for they represent trends that have always been in the world — in religion, in philosophy, and in life. But, as the head of the Swiss republic remarked in a recent speech:

> Whether we like it or not, states have the right to give themselves the regime which they judge the best for themselves. . . . States whose regimes are essentially different can live together and be friends.

THE COMMON MAN'S SENTIMENTS

THE COMMON MAN in the European democracies would be very glad indeed to let any states that wanted it have fascism, if they would only leave him alone, and something similar may be true of the common man in the fascist states. But the common man who has a radio is familiar with all the insults that can be offered to the democratic state, for Europe is at present ruled by statesmen making harangues over the air. The denouncers of democracy among them maintain that it has no real philosophy, no real ideas, but only a phraseology dealing with clichés like the freedom of the individual, human liberty, justice, conscience, and so on; that the democracies excel in phrasemaking but have no real convictions; that the peace of Versailles showed neither ideas nor ideals nor statesmanship; that, when Germany tried to be a democratic country, the democratic states paid no attention.

Cowering people sit before radios listening to the latest word slinging from one side or another, listening fearfully as they did recently to know whether a war was going to devastate

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* EDITOR'S NOTE: — *The recent books discussed by Mrs. Colum in this article are:* The Coming Victory of Democracy, *by Thomas Mann, translated by Agnes E. Meyer (Knopf, $1.00);* Power, *by Bertrand Russell (Norton, $3.00);* Modes of Thought, *by Alfred North Whitehead (Macmillan, $2.50);* Germany Speaks, *by leaders of the Nazi Party (published abroad);* Franklin Roosevelt, *by Emil Ludwig (Viking, $3.00);* I Follow Saint Patrick, *by Oliver St. John Gogarty (Reynal & Hitchcock, $3.00).*

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Europe or not, waiting anxiously after each speech for the passage of the hour that intervened between it and the translation into the language understood by the hearers. Then, after the most inflammatory speech of all, there was a rush from the centers of danger — in cars, trains, boats, in anything going anywhere.

In all the books written by the intelligentsia on the subject of the next war, nobody seemed to have foreseen that the common man will do anything rather than endure another war; that he might, in the last analysis in every country, refuse to fight at all; that he might be reduced in morale by the terror of his family. For in Europe there is no more going to war with drums beating and banners flying and excited women encouraging the soldiers. Today soldiers are rushed to the front or to the imagined front — for in the recent war scare nobody knew where the troops were to fight — in delivery wagons, furniture vans, trucks, buses, in sinister silence and at night, nearly all with some terror in their souls. Though men may not be afraid to fight, they are afraid of those weapons of destruction from the air which they cannot fight. The thought that fleets of airplanes can bombard a city or a frontier and leave after them scattered limbs of what had been laughing children or beautiful girls or strong boys proved too much for the courage and imagination of Europe.

The books that are being written show that the democratic states are beginning to take stock of their values as well as their armaments and are considering in what way they have advantage over the dictator states and what they have to offer of the good life to their citizens. From the three books mentioned, taken together, we may be able to assemble those ideas that are at the core of the difference between democracy and the other modern forms of government.

In the fascist philosophy the state is ascendant, and the individual, while well provided for, is significant only as a member of the state. This idea derives from Hegel. It has the advantage of being clear-cut and without the perspectives that are in democracy. Compared to it, this definition of democracy (it is Thomas Mann's) — "We must define democracy as that form of government which is inspired above every other with a feeling and consciousness of the dignity of man" — is subtle, sophisticated, and high-minded but leaves too much to the mentality of the person addressed. The truth is that democracy is a process and not a condition and so can be only indicated, not defined — at least not defined neatly and by formula.

The Individual vs. the State

Still there is a starting point for our thinking about democracy, and Bertrand Russell comes to it when he says, in *Power:* "For my part, I consider that whatever is good or bad is embodied in individuals, not primarily in communities."

Against this there is the concept used by the totalitarian state, the concept stated by Hegel, that in communities as such there are ethical qualities that make them higher, more significant, than the individuals that compose them.

The weight of Bertrand Russell's authority as a philosopher, the weight of Professor Whitehead's authority, is toward giving significance to the individual. But Bertrand Russell is not judicial when, in the same paragraph in which he declares that whatever is good or bad is embodied in individuals, he goes on to say that such philosophies as Hegel's are tricks for justifying the privileges of the holders of power. Are the privileges of the holders of power in a fascist state any more marked than the privileges of the holders of power in a democratic state? "Whatever our politics may be," he writes, "there can be no valid argument for an undemocratic ethic," and then he defines an undemocratic ethic as "one which singles out a certain portion of mankind and says, 'These men are to enjoy good things and the rest are merely to minister to them.'"

But no dictator and no dictator's party in any modern state says such a thing. On the contrary, the dictatorial states have no certain portion ministering to another certain portion; they have everyone ministering to the state. Surely the essential difference between the democratic and the totalitarian state is the difference between the emphasis on the individual and the emphasis on the community. And this difference in emphasis on the side of the totalitarian states throws into relief another quality, a quality which is really the subject of Bertrand Russell's discourses in *Power.*

In his booklet, Thomas Mann quotes a say-

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ing of Goethe's: "The man of action is always conscienceless; conscience belongs to the observer."

Now to be conscienceless as a man of action means, among other things, to be unscrupulous about the use of force to gain an end. Europe has always had conscienceless men of action: Frederick the Great, Napoleon, Bismarck — indeed, the father of the present peace minister in England, Joseph Chamberlain, was conscienceless in his use of force against the South African republics, though he represented a democratic state. But Frederick, Napoleon, and Bismarck had to take the line that they were well-behaved men who, finding themselves assailed, had force behind them. The totalitarian states today are nakedly conscienceless; in the case of Ethiopia, in the case of Czechoslovakia, they showed themselves conscienceless in their use of force; and their own populations accepted and applauded it.

The Taming of Power

The problem of today is the very pressing and complex one of how to mitigate this consciencelessness: in other words, how to tame or humanize power. And it is this problem that Thomas Mann deals with interestingly but not very incisively in *The Coming Victory of Democracy;* it is the problem that Bertrand Russell enlarges on and illustrates with a great number of instances in his book, *Power.*

It is a real aid to our thinking about the subject to isolate it as Bertrand Russell does. Marx and his followers, he shows us, were mistaken in supposing that economic self-interest could be taken as the fundamental motive in the social sciences. The fundamental motive is power. Just as energy is recognized as the fundamental in physics, power should be recognized as the fundamental in the social sciences. In his discourses he shows us what the problem really is: to tame power — not only power manifested in politics but power in every manifestation. The power that machines give man is one of the most dangerous sorts of power, and he truly notes:

> Mechanical power tends to create a new mentality. . . . The man who has vast mechanical power at his command is likely, if uncontrolled, to feel himself a god, not a Christian god of love, but a Pagan Thor or a Vulcan.

Anyone who has read of the bombings of people in Spain or Ethiopia will know what this implies. And for this reason democracy, he says, has become more difficult. The development of a great air force may give a democratic government a harder attitude not only toward other peoples but toward its own. But for that very reason the insistence on the significance of the individual fostered by democracy becomes more important.

Bertrand Russell is concerned not with the overthrow of this or that regime but with the using of power to promote social co-operation, not in one group as against another but in the whole human race — white, yellow, and black; fascist, communist, and democratic. "The chief obstacle to this end is the existence of feelings of unfriendliness and desire for superiority."

In spite of its excellencies, *The Coming Victory of Democracy* has not this renunciation of unfriendliness. But Thomas Mann is one of those who have suffered the most unpardonable sort of attack from Nazi institutions.

One would like to ask Dr. Hans Blunck, writer of the section on German culture and literature in that revealing volume, *Germany Speaks*, what explanation he has to offer for the treatment of Thomas Mann and for that strange letter from the University of Bonn which Mann answers in his booklet. Dr. Blunck has resounding titles: he is Honorary President of the Reich Chamber of Literature, Member of the Reich Culture Senate and of the Senate of the Academy of Literature. In the opening of the contribution, "German Culture and Literature," he describes himself coyly as a poet and a writer of fairy tales. From the internal evidence of his article, one may be permitted to doubt if he is very much of a poet or an imaginative writer. Nobody is an artist just because he claims to be one or turns out something that he gets printed; there is a recognizable mentality about a real writer, the evidence of the mental climate in which he lives. This quality is perfectly obvious to a reader of Thomas Mann's *The Coming Victory of Democracy*, small as the volume is; but it is completely out of sight in Dr. Blunck's prolegomenon to culture in the Third Reich.

A noticeable characteristic of what he has to say is that it represents exactly the same viewpoint as the Marxist and Soviet writings about art and literature: it gives the same impression of simple-minded ignorance as regards the

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function of literature — the same sense that an untrained mind is busily engaged in forcing literature into the frame of a political idea. It is something like a baby's getting hold of a razor and amiably slashing round with it without knowing what the function of a razor is. Dr. Blunck is as amiable and engaging as the baby; he has real friendliness for all men who are for "healthy" and "regional" literature.

Germany Speaks

But *Germany Speaks* is nevertheless a volume that should be read, for it is compiled by Nazi leaders, and, if we want to know what the new Germany believes in, here it is.

In every contribution there is assurance and reassurance that what Germany really wants is peace. The individual is significant only in so far as he belongs to the German community — this with the twin ideas of race and nation is what holds the whole compilation together.

The Minister of Education, Dr. Rust, speaking of methods of education that prevailed before the Nazi revolution, states:

> Excessive importance had been attached to the individual as such while it was almost forgotten that each individual is at the same time a member of a racial community.

He then promulgates the new type of education: "All education has to be founded on principles of biological and racial science."

And, in the essay on population policy, the same note is struck by the head of the National Hygiene Department, Dr. Arthur Gütt:

> It is a mistake to think that it [the nation] comprises all those who are citizens of the state concerned irrespective of their race or their origin. . . . On the other hand, it should not be solely applied to those persons who are contemporary to one another at any given moment, but also to their ancestors and descendants. . . . The term "nation" implies the element of timelessness.

In this statement, despite the portentous mixture of the ideas of Count Gobineau and Steward Houston Chamberlain that it contains, there is something that is undeniable. Not only Thomas Mann and Bertrand Russell but many other intellectuals today are inclined to dismiss this idea of the nation impatiently, but in doing so they are not realistic. For, all over Europe, from the Ukraine to Ireland, there is a deeply grounded feeling about the nation.

Where Dr. Rust and the Nazis are unfortunate is that they confuse racism and nationality. If there is such a thing as race, it is certain that people of the same race do not necessarily belong to the same nation, and it is equally certain that diverse racial groups are included in many nations. France, undeniably a potent nation, has no racial consciousness that an outsider can distinguish: she is almost as much a conglomeration as the United States is. It is one of the misfortunes of the modern world that the ideas of race and nation have been combined.

However, if the writers of *Germany Speaks* show themselves dominated by a fantastic mysticism when they deal with ideas, in the handling of great practical projects they show themselves possessed of an ability beyond that of other Europeans. Their power of organization is colossal and has to be respected. Accounts of what has been undertaken and achieved by the National Socialist welfare organization, the national food estate, and the state labor service are truly imposing. The people's health and nutrition are looked after by great, well-knit, and active organizations. Democratic states can learn a good deal on this side from *Germany Speaks*.

The End of Laissez Faire

A continuation of the old *laissez faire* policy is impossible, and on this subject it is impressive to read the same sentiments in the words of Thomas Mann and in various writers in *Germany Speaks*. In his plea for social justice in the democracies, Thomas Mann denounces the old *laissez faire* policy, insisting that everyone is entitled to a share in the goods, material and cultural, that a country produces, and in almost the same words this sentiment is expressed by the Nazi leaders.

Germany Speaks, in many ways, is an impressive book, in spite of the fact that the way Hegelianism is applied gives one a shiver down the spine. Brought to its logical conclusion in practice, the danger of making people over into robots is obvious and real.

It is with relief that we turn back to Professor Whitehead's philosophy, to his belief in democracy and to his wonderful description of civilization — the civilization that democracy aims at and safeguards:

> The hermit thrush and the nightingale can produce sounds of the utmost beauty, but they are not civilized beings. . . . They lack ideas of adequate

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> generality respecting their own actions and the world around them. . . . Civilized beings are those who survey the world with some large generality of understanding.

This philosophy is opposed to the closed and absolute systems which make the totalitarian states lean on interpretations of Hegel. His emphasis on the worth of the individual, his way of thinking about the world as a scene of free and constant creative energy in which every experience has value, makes Professor Whitehead's philosophy one which democracies could utilize as the totalitarian states have utilized Hegel.

> There is an ideal of human liberty, activity, and co-operation dimly adumbrated in the American Constitution. It has never been realized in its perfection; and by its lack of characterization of the variety of possibilities open for humanity, is limited and imperfect. And yet, such as it is, the Constitution vaguely discloses the imminence in this epoch of that one energy of idealization, whereby bare process is transformed into glowing history.

At this stage in world affairs it is something of a pity that the life of the American President should have been written by Emil Ludwig, who is not really a very good biographer, though he has to his credit an excellent biography of the River Nile. Any ordinary American newspaperman could have written a better life of President Roosevelt.

The trouble is that Emil Ludwig has information about America without any real comprehension of the history of the country, and, if there ever was a moment when the life of an American president should have been written with a comprehension of the past and present of America, this is it. The world is eager to know what the leader of the world's democracies really is and really stands for, but such a comprehension does not emerge through *Roosevelt: a Study in Fortune and Power*, and the world does not want to hear how badly a previous Roosevelt compares with this one or how incredible were the ineptitudes of the policies of Hoover and Alfred Smith.

The President appears to have given Emil Ludwig every opportunity to write an understanding biography, but such a biography was beyond his scope. Maybe a secretary of fine arts — that important official lacking in the national administration — might have saved President and public from this inferior presentation. Roosevelt should have been presented as the leader of the world democracies in a bold and striking biography; this has not been done, and there must be a feeling of disappointment not only among Americans but among Europeans who look toward America. If the tastes in literature of the heads of the Nazi and Communist states are depressing, the tastes of the American President, as represented in this biography, are even more so.

When Saints Were Leaders

Fifteen hundred years ago the outstanding men were always saints, and as a change from books about the political personages of the present we turn to a presentation of Patrick, that internationally minded man who is the patron saint of the Irish people, by a poet, Oliver St. John Gogarty.

Patrick was a Welshman who adopted the Roman name of Patricius, and in these days of national and racial antagonisms it is refreshing to read of a man who, captured by a barbarian king, sold as a slave, with home and family destroyed, devoted his life to civilizing those who had inflicted such injuries upon him.

> Towards Ireland I did not stir of my own accord until I was almost worn out. But this was all to my good since I was amended by the Lord. He fitted me to become something which was quite beyond my grasp; he made me take for my care and busy myself about the salvation of others, whereas at the time I did not even think of myself.

This is by no means a conventional life of Saint Patrick, but it is better than any such life could be. This is because he dramatizes the country itself and the people of the country as they are and as they always have been; and this is what the biographer of a salient figure in a nation's history should always strive to do. Oliver Gogarty has scholarship in the period of Rome's decline in the West and has a deep knowledge of Ireland. Here is not merely the knowledge of a man who knows only books but of one who knows the rivers and harbors and hills. He gives us a character and a setting, the setting so well conveyed that we become part of the scene. *I Follow Saint Patrick* suggests a fresh and fruitful way of writing the life of a man outside our epoch.

Winning poems in The Forum's recent contest will be published next month

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Financial Monopoly: the Road to Socialism

by **ROBERT H. JACKSON**

Solicitor General of the United States

PRESIDENT ROOSEVELT, in his message of April 29, 1938, called the attention of the Congress to a growing concentration in this country of private economic power, without equal in history. He said that this concentration is seriously impairing the economic effectiveness of private enterprise as a way of providing employment for labor and capital and as a way of assuring a more equitable distribution of income and earnings among the people of the nation as a whole.

He asked the Congress to come to grips with this problem, not merely as a matter of justice, not as a matter of politics, but as a matter of preserving and improving the functioning of our traditional system of free private enterprise.

From the standpoint of justice, few will deny that disparities in the fortunes of men are far greater than the disparities in their talents or their virtues. And, as a matter of political science, few would doubt that trouble ultimately will come if, in a money economy, we permanently frustrate the hopes of the multitude for a decent standard of living, a fair measure of security, and an opportunity to win self-respecting positions in our society. Injustices and disappointments to uncounted men have often fired discussion of this problem, but the message of the President was not emotional. It was coldly analytical and quite unprecedented in presidential papers.

It is strange that one view of the centralization of wealth and its control is shared by both the intelligent socialist, who wants to remake our society, and by the unenlightened capitalist, who wants shelter from every social control. What the extreme socialist favors, because of his creed, the extreme capitalist favors, because of greed.

The Marxist predicts a ruthless centralization of property, excluding the many from a motive to protect it, as inevitable and as the first step toward communal assumption of control. He points to history and to trends which so far have o'erleaped every governmental obstacle to concentration, as proof that the unbearable point is coming and that socialism will win.

His unconscious ally, the blind capitalist, also says centralization is inevitable. He thinks it a tribute, however, to his own indispensability and a result of his efficiency and initiative. He thinks that only by such centralization of control can his own superior knowledge and wisdom be put to work. He sees centralization as an end and an achievement in itself. After it, the deluge, if one come, is a result not of his philosophy but of a departure from it.

The captain of industry says that the local merchant is doomed — only by concentration in chains can we distribute goods cheaply, swiftly, and effectively.

The socialist says: Yes, the local merchant is doomed; the great reorganizers are doing away with the thousands of units which government could never take over successfully and, in their place, are putting a few chains which easily can be taken over for socialized control.

The capitalist says the mines, the factories, and the utilities must be centralized under great holding-company systems, in the name of efficiency or diversification or for this or that reason.

Fine, says the communist — the easier to handle by a people's commissar.

It is the big businessmen, too, who are furnishing the most persuasive object lessons

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Woodcuts by Howard Cook *Courtesy of the Weyhe Gallery*

to overcome the feeling of the American masses that socialism is merely Utopian theory.

Plain and practical people have held to the conviction that businesses could not well be run by absentee control. They have felt that the profit motive was the best stimulus to enterprising management. They have an instinct that a distant and none too well equipped bureaucracy is not an effective or acceptable force to control the mass of detailed transaction necessary to even a simple business. Socialists on soapboxes never could convince them to the contrary.

Where the socialist failed, the businessman and financier have been succeeding. They have been selling absentee ownership, management by salaried agents, and control by distant bureaucracy. They have merged, combined, and consolidated in the name of more efficient — though remote — management; they have subjected important local enterprise to supervision by men who were but employees, without a share in the profits; and they have extended the empire of a financial bureaucracy, none too benevolent, quite self-perpetuating, and often arbitrary. It deals in the jobs of men and the prosperity of communities; it is responsible to no popular electorate; and its accountability is vague.

If these devices of the financier are good and wholesome, then the most effective argument against socialism and against government ownership and control of industries and utilities has been exploded — exploded by the financiers who hate socialism — or what they think is socialism.

If the business details of a distant community can be handled from a high building in New York, they can equally well be handled from a high building in Washington. If a salaried staff is to manage local industry, there is no reason to think government clerks cannot be as honest, as discreet, and as able as those of corporations. And, if a bureaucracy, remote and aloof, is to manage local utilities and plants, it can quite as well be a bureaucracy the citizen can vote out for its sins as one that is entrenched with interlocking financial controls. Every argument that can be used to justify holding-company empires can be turned to justify the socialistic programs. If business organizes itself into a nest of private collectivisms, it will have little argument against establishment of an overriding public collectivism.

II

THE FIGURES used in the President's message to measure the degree of wealth concentration were those of the Bureau of Internal Revenue, for 1935. To trace the growing concentration, it is necessary only to lay these beside similar figures for 1932.

In 1932, 5 per cent of the reporting corporations owned 85 per cent of all wealth owned by corporations, while, in 1935, 5 per cent of them owned 87 per cent of the assets of all of them. The concentration was proceeding at a faster rate in the larger companies. In 1932, 53 per cent of the reported assets of corporations were found in 618 corporations, being 0.2 per cent of the total reporting, while, in 1935, the President reports that 52 per cent of such assets were held by 0.1 per cent of them.

The President said (and his statement seems justified):

> The statistical history of modern times proves that, in times of depression, concentration of busi-

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ness speeds up. Bigger business then has larger opportunity to grow still bigger at the expense of smaller competitors who are weakened by financial adversity.

Statistics alone fail to reflect the true extent of this concentration. They respect the corporate entity. But financial control does not. Statistics do not show the controls by interlocking directors, interlocking bankers, and interlocking dominant stockholders. Nor do they show the groupings of corporations by which competition has been banished and where a real but statistically invisible central control of wage policies, price policies, or trade policies exists.

But the independent businessman can feel such control, even when he cannot see it. The high mortality of small business and the loss of its independent position testify to the smothering of free private enterprise.

It is the custom of some publicists to claim an offset against this menacing and progressing concentration of wealth and earning power.

For example, they cite the wide distribution of automobiles, which do often constitute the major portion of a poor man's worth. But they usually cite the *number* of cars, not the value; and the cars of the lower income class, while they may be many, often are of little monetary value, and many, very many, of them are purchased on time. Moreover, they are rarely income-producing — are quite the opposite, in fact — and the concentration which is especially menacing is the concentration of *productive* assets.

Others cite the large amount of savings accounts. But, on October 4, 1934, 56.5 per cent of such deposits were uninsured by the Federal Deposit Insurance Corporation because they exceeded the insurable maximum. These 56.5 per cent of deposits were held by only 1.5 per cent of the depositors, who also had their maximum of insurable deposits.

Homeownership is perhaps the most legitimate example of a kind of wealth widely distributed. But here too often the ownership is of an illusory equity, and the title on feeble foundations.

But the chief and most misleading argument of the apologists for our present situation is that there is a wide public distribution of securities and that, therefore, concentration of corporate wealth is offset by dispersion of

individual ownership of corporate shares. One publicist has claimed 24,000,000 security owners in the United States. Editors, politicians, and writers have made widely varying and often sensational estimates.

What is the truth about the number of holders of shares in American corporations? I have tried, with the aid of the information available from the Bureau of Internal Revenue, to get the answer. Only approximations can be had. But there is information sufficient to show that such high estimates are reckless and unreliable. The enormous number of duplications among corporate stockholders makes corporate records not only inadequate but also misleading sources of information. Yet, often, a total reached by adding stockholders' lists, without allowance for duplication, is proclaimed to show that the country's riches are really owned by the poor.

Probably the banner year for public ownership of stocks was 1929. As we have seen, it was asserted by a widely quoted analyst that in 1929 there were 24,000,000 security owners in the United States. In that year, how-

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ever, there were only 2,458,049 persons who reported taxable incomes to the United States Government. It would be absurd on the face of it to contend that 90 per cent of the nation's security holders are not taxpayers. Obviously there is a joker somewhere. Not only may we be certain that there were nothing like 24,000,000 individual security owners in the United States in 1929, but it is obvious that any statement as to the aggregate number of individual security owners would be misleading if it did not disclose the great disparity in the value of the securities held by individual security owners. For example, in 1935, 43 large stockholders of the American Telephone and Telegraph Company owned over 250,000 shares more than the combined holdings of nearly 250,000 small stockholders.

In fact, we find that the 3.28 per cent of our population who filed income-tax returns for 1929 reported that they received 83 per cent of all dividends paid to individuals by our corporations. And over 78 per cent of the dividends went to those with taxable net incomes (above exemptions and deductions) of $10,000 or more. They were a little over 0.33 per cent of our population. This shows the overwhelming concentration of stock ownership of our corporations in few hands — when the measure used is *value* instead of *number of shares*.

Another indication of the significance of concentrated stock ownership is to be found in the sources from which income groups derive their income. Of course, Internal Revenue Bureau statistics of income do not include incomes so small as to require no reporting. This leaves us without information as to the overwhelming number of our people. The lowest classification of income sources found in the statistics published by the Bureau is of net incomes under $5,000.

We are here dealing with people of relatively substantial incomes, when we consider that 42 per cent of all American families and single individuals have incomes of less than $1,500 and, of course, do not make income-tax returns.

In the depression year of 1932, those who reported less than $5,000 of net income received 67 per cent of it from wages and salaries and under 5 per cent of it from dividends, while those having net incomes of from $100,000 to $150,000 had only about 17 per cent of it from wages and salaries and 55 per cent from dividends. Those with incomes of $1,000,000 and upwards looked to wages and salaries for less than 2 per cent of their income, while securities yielded them 92 per cent.

In 1929, those whose incomes were $1,000,000 or more realized over 50 per cent of it from capital gains. Capital gains are, of course, negligible to all individuals of low or moderate incomes. In their very nature, they come only to those who already have; and, the more these persons have, the greater is the chance for such unearned gains.

Thus we find not only that nearly all dividends paid by our corporations are collected by a very small class but also that those who rely mainly on earnings from their work get very little help from dividends and that those to whom compensation for work is insignificant find dividends their chief reliance.

The claim that the benefits of the high concentration of ownership of productive property by our corporations is spread out widely through stock ownership is delusive and unfounded. The President was not deceived thereby, for he pointed out:

> The concentration of stock ownership of corporations in the hands of a tiny minority of the population matches the concentration of corporate assets.

III

WHAT THEN are we headed for? The President well said in his message:

> No people, least of all a people with our traditions of personal liberty, will endure the slow erosion of opportunity for the common man, the oppressive sense of helplessness under the domination of a few, which are overshadowing our whole economic life.

The demand that both government and business face these realities is insistent.

Conflicting voices will offer remedies.

There will be those who will demand hands off. They will beg for confidence — a confidence that, no matter what they do to others, the government will do nothing to them. They have long arms; they reach for what they want.

There will be the socialist and the communist and those who are half inclined to them, often without knowing it. They will urge that this trend of concentration is inevitable, even desirable, and that the remedy is to accept it and take over the job of piling up combinations, which the businessman has so well started. Some of these will urge outright public owner-

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ship of industry — which is at least a candid avowal of the direction in which private collectivism is leading us.

But others, unwilling to recognize state socialism as the final outcome of private socialism, will advocate some kind of regulation of big business by government officials, with a large measure of self-government for industry.

In theory this solution sounds beautifully logical. In practice I have been pessimistic about it simply because it calls for more foresight in recruiting consistently competent minor public servants and giving them adequate pay and security than I think the present state of the American political mind is willing to recognize. The hysterical reaction of last year to the reorganization bill and its civil-service provisions should give thought to anyone who assumes a system of government regulation in which the government regulators would consistently have to be as competent, as secure in tenure, and as personally zealous as the representatives of those who are to be regulated.

For fifty years we have had this theory of government regulation of monopoly working itself out in practice. With a few exceptions which prove the rule, everyone has to admit that American regulatory bodies have not been adequate to match the skill and the persistence of those whom they were supposed to regulate. The oldest field of public regulation, the utility business — a relatively simple subject for regulation — is a perfect case in point. No one denies that we have yet to devise an effective method of forthright regulation of private utilities which can escape frustration in the courts.

And it is even more difficult to discover what sort of public regulation could be made effective in far more complicated industrial fields. So-called self-regulation of industry, whether confined to producers or extended to include their customers and consumers, promises little more than the legal sanctification of the *status quo*. It is naïve and wholly unrealistic to suppose that a few public representatives in an industrial conference, by the sheer force of their moral or intellectual suasion, will be able to stand up against the resourcefulness and power which private enterprise can command.

This is a fundamental problem of man power — which must be taken realistically into account at this stage of American government where frankly the public does not recognize the importance of trained, capable, and fearless man power in government. In practice, regulation means complicated and continuous negotiations or complicated and continuous lawsuits. To attempt a scheme of government regulation of monopoly, on the supposition that now or in the immediate future we have or will get, in government, adequate numbers of adequate men to represent the public interest in those negotiations and lawsuits, is like saying that, if we had some ham, we could have a ham sandwich — if we had some bread.

Then there are others of us who are unwilling to abandon the hope of maintaining in America a system of competitive independent enterprises. We do not fear any size which is the result or the cause of efficiency. We do fear the kind of size which comes of collecting many enterprises under single financial controls; which edges independence out of the business world, slows up enterprise, and introduces the absentee landlord to the factory, the utility, and the mercantile establishment.

It is our belief that these financial bureaucracies are neither efficient nor wholesome. But we do not think it necessary to go into a socialistic regime to curb them. We find in the American Constitution ample power to protect enterprise in most fields if we will but move adequately and in time. We would co-ordinate our governmental policies, now conflicting, to the support of a national policy of private independent enterprise. To its support we would bring the taxing power, the power over interstate commerce, over security issues, over holding companies, and over patents. Governmental power to prevent concentration has not failed. It has never been tried.

Such a program should appeal to those who do not want American industry regimented from Wall Street, which is the first step in regimentation from Washington.

We look to the program laid down by the President, if properly translated into legislation, to restore the enterprising spirit and to release the suppressed energies of our people, so that idle workmen and idle factories may not stare helplessly at each other and so that our underlying economic system may sustain and make possible our democratic system of government.

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Learning How to Hear

by **LOUISE M. NEUSCHUTZ**

No one who knew me would once have considered it in the least possible that in this life I should ever again hear a sound. For twenty-five years I was as deaf as a post, having arrived at that sorry state gradually, beginning at the age of twelve. By the time I reached maturity I was hanging, so to speak, onto the last shred of my hearing, and nothing could be done by medical science to arrest the steadily progressing deafness. And now, along in middle age, I am learning anew to hear, learning to utilize an infinitesimal spark of hearing that seems to have remained to me in the dark, hidden recesses of that bony labyrinthine cave; in other words, I am re-educating what is termed my residual hearing.

Until recent times, very little was done for deafened adults in the way of retraining such fragments as were left over from hearing that had once been normal. It had not been believed feasible, although various methods of re-educating latent hearing in children deaf from birth or infancy have been successfully employed for a number of years. These methods proved very useful in enabling deaf children to acquire speech and language by more natural means — through the ear.

Of course, I shall never again have two perfectly good ears. But, with the aid of a "crutch," a modern and efficient hearing device, I shall be able once more to hear music and the human voice. And this will be owing to the devoted efforts of two New England women whose life-work it has been to search out and retrain tiny sparks of hearing long believed extinct.

Up against a Wall

Neither my parents nor my teachers were able to fathom why, in the last two years of public school, I persistently sat with the right side of my body advanced and with my back unceremoniously turned to the pupil on that side. What a struggle it must have been for my poor faculties to keep up with the rest of the class while hearing with but one ear! Inevitably, by the time I reached seventeen, I was at cross-purposes with myself and all the world. Unwisely I embarked on a business career and soon I had lost two good office jobs because of my inability to take dictation without making numerous mistakes.

Like so many of my fellow sufferers, I was loath to admit my defect in hearing and, ostrichlike, tried to hide my head in the sand. Vocational advice during those years was not obtainable, since little was known then of the problems of hard-of-hearing youth. Consequently, I began to suffer from an overwhelming feeling of frustration, seeing no way of surmounting the obstacles that were piling high across my path.

It was the huge tin trumpet that caused me the greatest grief. I acquired it when I could no longer hear without some mechanical aid. This

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awful instrument helped me a little, but all conversation in a roomful of strangers came to a sudden halt if I, a moderately attractive young woman, entered with that unsightly appliance. It would truly have been wiser for me to stay within the four walls of my own room; yet I could hardly bear the thought of renouncing all social life. The solitude that, step by step, was enveloping me was unnatural to my lively temperament.

About this time, the electric earphone first made its appearance. In its initial form, it was a crude and unreliable affair. The metallic sounds, moreover, that accompanied every attempt to operate it, drowned out many a well-meant effort of others to speak to me. And I dared not mention this for fear of discouraging friends from talking to me at all.

The result of all this was that I virtually gave up listening at a time when I could still hear a little, leaving that tiny remnant of my hearing to rust slowly away. I resigned myself to solitude and oblivion at the ripe old age of twenty-two.

"Why not study lip reading?" my otologist asked me urgently. "Learn to hear with your eyes. Try to understand the spoken word by watching the movements of the lips." He regretted deeply that he had no real remedy to offer, since for my type of deafness (otosclerosis) there was no cure available.

There was really nothing else I could do. Accordingly I signed up for a course of lessons in a well-known school of lip reading but progressed quite slowly at first. (It has not yet been discovered, by the way, just what mental quality makes the efficient lip reader. At any rate, I was not endowed with it to an appreciable degree.) By dint of hard work and practice, progress came gradually; but by then my hearing, as far as I or anyone else could determine, had gone totally, and not even the much improved hearing aids that in time came on the market could make the slightest impression on my ears.

Few people with normal hearing are able to imagine the extent of the loss of mental stimulus in those who are no longer within reach of sound nor the isolation that not seldom follows. There is, besides, nothing dramatic about deafness; hence, it often calls forth more impatience than sympathy. Yet nature sometimes provides means of compensating for a physical handicap through the superdevelopment of other powers latent in the body.

New Hearing through Bones

Meet Miss Mildred Kennedy and Mrs. Florence A. Browne, of Concord, Massachusetts.

Ten years ago leading otologists pronounced Miss Kennedy hopelessly deaf. Since the age of fourteen her hearing had been diminishing at an alarming rate, and there was no relief in sight. Hearing aids gave her no satisfaction, because her air-conduction channels had become practically useless. She, too, studied lip reading but felt that, with complete deafness, a wall had risen around her, seeming to grow bigger and bigger as the years rolled by, threatening to immolate her.

Not long after otologists had sentenced Miss Kennedy to lifelong deafness, Mrs. Browne, a close friend, who had been a teacher of music, brought back with her after a trip to California a strange new device. It had been invented by De Clifford Phipps, a post-mortem surgeon in a hospital. For some time he had tried, by means of it, to aid the deafened in re-educating their remaining fragments of hearing. It made use of the principle of bone conduction — a principle which had been known to medical men as far back as the sixteenth century and which, in 1648, was expounded by John Bulwer in his memorable treatise, *Philocophus*.

Dr. Phipps's instrument, about two by two and a half inches in size, enclosed in a bakelite case, was tried out by Miss Kennedy, at first on a radio. She found it useful as preliminary practice in hearing musical sounds. Then Mrs. Browne discovered that it could be attached also to appliances other than the radio. This opened up new vistas of hope.

Miss Kennedy listened, her every power of attention strained — listened, not in the ordinary way, through the aural canal, but by putting the protruding metal end of Dr. Phipps's device either between her teeth or against the bone behind her ear. Mrs. Browne spoke or sang familiar tunes into a microphone connected with the device, or she used an electric phonograph, with appropriate records of simple songs, to tone up her friend's fragment of residual hearing.

It was many months before a speaking voice

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became intelligible to Miss Kennedy; it required persistence and well-nigh endless patience to achieve results; but today Miss Kennedy hears easily with the help of a modern bone-conduction hearing aid, and it is hard to believe that without it she cannot hear at all. She is living testimony to what may be possible along the lines of re-education of residual hearing and the utilization of the age-old principle of bone conduction.

The Power to Hear

None of us is born with the ability to identify the sounds that surround us. Speech and other noises mean nothing to an infant, although he hears them well enough. In due time, words take on meaning; repetition fixes them in memory; sounds are associated with their sources; and thus hearing begins to function, gradually becoming automatic.

But, while hearing with normal ears is an automatic process, *listening* is a mental performance. Thus, when hearing becomes impaired, a conscious effort must be made if one is to hear — the process is no longer automatic. With an adequate hearing device, which conveys sound to the weakened ears without distortion and without excessive vibration, the partially deafened person may recover the consciousness of hearing automatically and also regain the ability to listen without strained effort.

Quite different indeed is the question of re-educating a useful amount of hearing in the more or less totally deafened adult who has neither heard nor listened for a number of years. Resigned to what he believes to be his fate, he has probably made no further effort to listen or to explore the residues of his hearing. The brain centers, therefore, which interpret sounds received through the ears, have over lengthy periods been deprived of their normal share of work; they have become inert. One cannot expect that they will resume their natural functions at once, when the ears are subjected to greatly amplified sound. Like other organs of the body when unused for a long time, the brain centers must be retrained and properly exercised with the aid of a suitable hearing device. Because of physiological and psychological differences in individuals, however, and also because of difference in causes of deafness, this may not be possible in every case.

Residual hearing is frequently only a tiny remnant. It may not react to the strongest hearing device made. Such a remnant cannot be increased by re-educational measures; yet it may be trained to the limit of its capacity. It may be trained to circumvent the defective aural parts by carrying sound to the brain through the teeth or the mastoid bone — in fact through any other bone in the head which acts as a good conductor. Age makes no difference here at all. Through good bone conduction, deafened men and women of seventy or more have been enabled of late to return to the world of the hearing.

With all these considerations in mind I tried to ascertain how much or, rather, how little residual hearing I possessed. Audiometer tests had shown absolutely none.

Acting on the advice of a deafened friend, I had a headset plugged to the socket of the detector tube of a small but good radio, turned the volume on full, and listened. Presently I heard loud and shrill noises. But what were they? Were they vocal or instrumental? I could not tell, no matter how I tried.

Undismayed, I listened daily to musical programs, and gradually was rewarded by increasing perception of differences in pitch and tone. High and low notes began to make themselves faintly distinguishable to my eager ears. Was Columbus more vibrantly thrilled, I wondered, when he first saw land?

Just at this time, the possibility of reviving residues of hearing in adults long deafened received further impetus. Those three faithful companions, Miss Kennedy, Mrs. Browne, and the "outfit," valiantly invaded Washington, D. C., to demonstrate their method of auditory re-education to the members of the local society for the hard of hearing. For more than three months during the winter of 1936–37, they taught all day long and often well into the evening. Twenty-five members of this society flocked daily to the headquarters they established, to take part in the instruction. There they listened to music, both orchestral and vocal, as conveyed by the phonograph and the bone-conduction device. Singly and in groups, they were given opportunity to listen to amplified speech; but in this case they had to use their eyes and ears together — watching the lips of the speaker and listening with the device. The two ladies call this the seeing-hearing

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method, to be used until the ears are capable of doing the work alone. Other exercises given were for rhythm and for perceiving musical notes in their correct pitch. Nothing, in fact, was left undone to stimulate the sense of hearing into new activity. The results in not a few cases were astonishing.

A woman, aged fifty-six, for instance, who had not heard anything for forty-five years and who could not clearly understand words or sounds even with the most powerful hearing device made, learned to hear a speaking voice with clarity. She was dazed at her achievement.

A man fifty years old, another apparently hopeless case, began the lessons without enthusiasm. "At first," he said, "it was just a jumble of horrible noises, unknown to the human ear, but soon I noticed that they were taking on a quality of sound and I began to recognize different tunes. The speaking voice also became clearer, and I understood some words." After taking the training for ten weeks, he understood normal speech with the aid of an individual hearing device.

I Try My Luck

Learning about these cases gave me, too, a little hope. On the return of the three companions to Concord, I joined them for about ten days to try out the training for myself.

In a large barn behind the cottage, just a stone's throw from the Old Manse made famous by Hawthorne, a number of us, newly ear-conscious, assembled to receive instruction. My first lesson consisted of simple exercises of scales in different octaves. The singing syllables, though still tunefully preserved in my memory, sounded rather different to my numbed ears. I had to learn afresh to distinguish notes. Drills in rhythm and songs of childhood, both by phonograph and by voice, before long revived my musical memory sufficiently to enable me to recognize tunes I once knew. Oh, the wonder of perceiving them even in their muffled resonance! On the second day, I was made acquainted with ten or more musical instruments. The violin did not come quite clearly; but, to the bass trombone, the oboe, and other instruments sounding low, I responded splendidly.

Learning to Listen

In order to retrain fragments of hearing latent and unused, it is of the utmost importance to learn to listen attentively without letting the mind wander. Of the 15,000,000 Americans estimated to be hard of hearing or deafened, how many, I ponder, are merely lazy listeners, prone to listen to their own thoughts rather than to what is being said to them by others? Readiness to listen requires that the mind be at attention, and this, again, enables the brain to perform its normal functions of interpreting speech and sounds.

We learners sat side by side and listened to our teacher's voice. Now and then I was startled by hearing some notes come out with sudden clarity. Bird calls, because I cannot remember having heard them in my hearing days, did not register so very well. But, when the teacher, on the third day of my lessons, for my own special benefit let loose on the phonograph "O, du lieber Augustin" (my cradle had stood on the Blue Danube), I nearly jumped out of my skin, for I had the sensation of hearing this tune as perfectly as of yore. It is an astounding experience to hear after so many years of total silence. It is like returning to a world from which one has been thrust out. Speech, of course, in the initial period offers the greatest difficulties. It tunes in at first like a jumble of inarticulate sounds.

Within a week I got the notes of the scales fairly true and could repeat quite correctly the singing syllables which the teacher gave with her back turned. The tenth and last day brought the test of reviewing the musical instruments, of which I had got but a few in the beginning. I was delighted to find that I was now able to distinguish most of them. Music and speech through the microphone likewise reached me with a greater degree of clarity. I knew, of course, that I should have to continue the practice, on my return home, for a long time and with the aid of instruments. But how could that prospect discourage one who had glimpsed anew a world once given up for lost?

Next month:
"Adjusting Yourself to Yourself"

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Free Speech—for Whom?

by **ROGER WILLIAM RIIS**

WHAT, IN YOUR opinion, is a revolutionary utterance?

There was a man, beloved by some, detested by others, who said:

> The country, with its institutions, belongs to the people who inhabit it. Whenever they shall grow weary of the existing government, they can exercise their constitutional rights of amending it, or their revolutionary right to dismember or overthrow it.

Is that "red"?

When a Columbia professor asked a number of persons who they thought made that statement, some said Lenin, some Stalin; and they added that they disagreed strongly with it. When the professor told them that Abraham Lincoln said it, they became thoughtful and admitted that of course it was perfectly true.

What, then, is a revolutionary utterance? Does it depend on who speaks or on the idea he expresses or on the attitude of the listeners?

This is no academic question. It involves the big problem of freedom of speech, which is extraordinarily important to Americans today. When the National Labor Relations Board says that Henry Ford must not tell his employees what he thinks about unions, is the Board interfering with his right to free speech, or is it not? Think that over for a moment.

Freedom of speech is one of the civil liberties, and on our maintenance of the civil liberties depends our democracy. Again, this is no academic matter. The tide of dictatorship which has risen since the World War shows as yet no sign of recession; and the dictatorships today openly challenge the life of the democracies. If we value our democratic system, we shall do well to ponder constantly and deeply on its foundations and its defenses.

The civil liberties are the basic essential for a democracy, as they are its bulwarks. The first step which a would-be dictator must take is to abolish the civil liberties, because, as long as he faces free discussion and a free ballot, he cannot establish himself as a dictator. Contrariwise, just so long as we preserve our civil liberties, we shall preserve our American democracy. Democracy is the rule of the people; the rule of the people depends on their knowledge and discussion of public questions. Unless thought and its expression are free, the people cannot exercise the management of their nation. History shows that the alternative is always orderly progress with the civil liberties or violent changes without them.

Politicians nowadays talk a lot about the civil liberties. When any subject becomes popular with the politicians, it's a fairly sure sign that the subject is turning over and over, deep in the public mind. The intensified interest in the subject today is owing probably to two wholly opposite causes — the world menace of the dictators on the one hand and, on the other, the achievements of the American Civil Liberties Union. This organization has since 1918 made itself the guardian of free speech in this country; and it is well to look a little into the Union's work and character.

There are certain maxims to hold in mind, when thinking about civil liberties:

1. Freedom of thought, freedom of expression have brought about the progress of the human race. They are the means by which man has climbed from barbarism.

2. Practically, it is good sense not to suppress an unwelcome doctrine, because attempted suppression always ensures the much wider spread of that doctrine. Every time we assault a Fascist or a Communist, we give him a martyr's chance to answer back and provide him with an infinitely wider and more attentive audience. A well-known publisher says that, if he brings out a book at $2.50 and it is suppressed, he can sell out the edition at $20 a copy. Suppression is the lifeblood of propaganda.

3. Once we acknowledge that freedom of ex-

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pression is a human right, we must remember that it is *everyone's* right. It is not for only us and those who agree with us. It is especially for the thought we hate, as Justice Holmes put it.

It is not possible, under this principle, to say, as did a Jersey City supporter of Dictator Hague, "There's plenty of free speech in New Jersey if you talk right." It is not possible to say, as Heywood Broun did recently, that freedom of speech by employers should be curtailed in the interests of social advance. Hitler, Mussolini, and Stalin say exactly such things. The reason for freedom of speech is to give the truth a chance to emerge. One need have no fear that the truth will not emerge (not *your* truth or *my* truth but *the* truth) — if only there is no tampering, no qualifying, no suppression anywhere throughout the process.

But does that mean that a man should be permitted to denounce the civil liberties? Isn't that an insane thing to permit? No, it's not an insane thing to permit. Let the man denounce them; we don't have to listen. He is uttering a stupid doctrine, because he is advocating suppression; we must not fall into his error and adopt suppression. "The test of a truth is the ability of a thought to get itself accepted in the open competition of the market place." How does that sound, in comparison with its opposite — "Get that guy! I don't like what he's saying. I'm afraid of him!"?

4. Eternal vigilance is the price of the civil liberties. It always has been. Mankind, led in this by the Anglo-Saxon political genius, has been nearly eight centuries developing the high concepts of the civil liberties. They didn't just happen.

The barons forced them from King John, and, not content with a general promise, they wrote them down and made John sign them, in Magna Carta. But eternal vigilance was necessary; later, the British had to protect and extend the civil liberties by means of the Petition of Right. Again, the British erected another milestone in the bill of rights; and, a century and a half ago, Americans took up the struggle by writing the civil liberties into the basic law of their land. To do this, we went to the extent of amending our constitution ten times before we even adopted it. Until George Washington undertook to see that the civil liberties were guaranteed in the Constitution, the people shrewdly refused to adopt it.

A people has to overhaul its civil liberties now and then, to protect itself from its rulers as well as from itself. What about us, today?

II

THERE IS NO better place to seek data on the civil liberties than in the office and files of the American Civil Liberties Union. Founded shortly after the World War as a reaction against wartime emergency legislation, this extraordinary organization, unique to America, is denounced by many as "red" and supported by many as a necessary public servant. Everyone who examines its work, however, admits that it is diligent and active and a propaganda organization of very unusual ability. It has the knack of throwing the spotlight on any given situation — as currently on Mayor Hague. It is important for us to know this self-styled Civil Liberties Union, which undertakes to preserve our most cherished rights. Can we trust it?

The Union has an office of several rooms on Union Square in New York City. It employs ten persons and pays annual rent of $1,500. It is controlled by a board of directors, thirty-one in number, which meets every Monday, and a national committee of eighty, which meets annually and functions by mail on larger questions during the year. The work is managed by Director Roger N. Baldwin, who receives a salary of $3,000 for what is essentially a twenty-four-hour-a-day job. The directors and national committeemen include eighteen lawyers, seventeen professors and teachers, six businessmen, five social workers, five union executives, one union organizer. In political complexion, they show seventeen Democrats, ten Socialists, four Republicans, one Communist, and fifty-two independents, without regular affiliation.

The Union's annual budget averages $30,000, which is contributed by over 5,000 people (an average gift of $6). There are 4,363 givers of amounts from $1 to $10. (I can state positively, if it will make you feel better, that the Union is not financed from Moscow.) The number of contributors is rising steadily. These supporters include many persons widely known in Republican and Democratic political circles, as well as numerous conservative business leaders.

Originally the conception of Mr. Baldwin,

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the Union can hardly be discussed without some words about its dynamic director. Mr. Baldwin is a New Englander, of earliest American ancestry. The Baldwin apple derived its respected name from his family. He is a man in the middle forties, of remarkable energy and executive ability and with a conscious, complete, well-rounded philosophy. Part of his philosophy gives him a hatred of violence; he believes that every human life is dignified and important and that every human life should be given its chance for its own free growth. We all believe that — but we do not all reach the logical conclusion that compulsion of another person's beliefs is wrong and that we should do something to stop such compulsion. Mr. Baldwin devotes his life to that.

Setting out from the start to defend the civil liberties, the Union has hewn to the line as closely as human fallibility permits. Inevitably, it became the defender of the underdog, because it is he whose liberties are most frequently infringed. No one muzzles a senator or a bank president. It is charged that the Union defends only reds; the Union replies that it does not make up its cases, that they are made for it by those who violate the civil liberties. It does defend communists; it also defends, for exactly the same reasons, Nazis and the Ku Klux Klan — defends not their doctrines but their liberty to make them known.

The normal development of any individual case is about as follows: A newspaper editor in a small town, let us say, is "framed" by political enemies and jailed on a trumped-up charge. The editor himself (or friends) appeals to the Union's office for help. The case is discussed at the weekly meeting of the directors; the specific civil-liberties issue is debated; and a decision is made to enter or reject the case. Untold times this question is asked by a board member: "Where is the civil-liberties issue in this case?" Many borderline cases are rejected because no such issue is clear.

Once a case is accepted, the Union's powerful machinery is set in motion. Court records are obtained; the able lawyers of the Union sift them out, prepare answering papers and briefs, conduct the case in the court. Meanwhile, the publicity department goes to work. Often, the publicity is as valuable as the legal steps, especially when the case is a flagrant one. Would-be local dictators hate the spotlight.

From its office in New York the Union handles approximately 200 cases a year. At any given time it has from 30 to 80 active jobs on hand. Its branches handle perhaps as many more local cases. It cannot, of course, take up every instance of infringement of civil liberties in the land but it does work on many of them; and no other organization does any work in this field.

III

THE UNION'S most famous achievement is one of its most clear-cut — the Scopes "monkey" trial in Tennessee. It attracted world-wide attention and showed the length to which legal repression can go.

When Tennessee in 1925 adopted a law prohibiting the teaching of evolution in schools, the Union offered, in a widely printed press release, to finance the case of any teacher who would resist the law and thereby get it tested in the courts. A Tennessee businessman named Rappelyea, who was a friend of a high school biology teacher, telegraphed to ask whether the Union would defend his friend, John Thomas Scopes, if Rappelyea made a complaint against him. The offer was accepted, the complaint made; and the Union's lawyer, Arthur Garfield Hays, took the job on. William Jennings Bryan volunteered for the defense, and Mr. Hays enlisted Clarence Darrow and Dudley Field Malone on his side. The Union financed the entire defense, raising over $10,000 by appeals to scientists. The lawyers volunteered their services.

History was made in Dayton. Scopes lost his case there, but the cause of free speech triumphed; the doctrine that Tennessee sought to suppress had unprecedented national publicity.

Another clear-cut job but of routine type was the Union's work in a silk strike in Paterson, New Jersey. The strikers were locked out of their hall by the police and could find no other meeting place. They appealed to the Civil Liberties Union.

Since no other meeting place was available and no law forbade assembly on city property, Mr. Baldwin, whom the Union sent over to Paterson, organized a parade of strikers to the city-hall steps. The chairman of the group started reading the bill of rights, and the police at once arrested him, with six others, and broke

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up the group with clubs, injuring many. Mr. Baldwin was indicted for illegal assembly. The Union at once held, under its own auspices, a meeting in the same hall from which the strikers had been ejected and had as speakers an Episcopal bishop, a distinguished lawyer, and a member of the Colonial Dames. There was no police interference. The Union then organized a second meeting under the joint auspices of itself and the strikers. After these two successful meetings under different auspices, the strikers demanded their hall and got it for their own meetings.

Mr. Baldwin was convicted and sentenced to six months in jail. Arthur T. Vanderbilt, ex-President of the American Bar Association, carried an appeal before the highest New Jersey court and won a unanimous and ringing verdict, upholding freedom of assembly. Freedom of assemblage was definitely won and established in Paterson.

IV

No CIVIL-LIBERTIES issue which has ever come before the country has been more fundamental than one which has been raised by the National Labor Relations Board. When the Board rebukes Henry Ford for telling his men not to join a union, is it interfering with Ford's freedom of speech or is it not? The question is important to examine, because it is right down among the roots of the civil liberties.

The Wagner act is the law of the land. It forbids employers to coerce employees on the issue of joining a union. The Labor Board believes that any utterance from an employer to his men on the subject of unions must of necessity be coercive, because of the economic position the employer occupies with relation to his employees. This theory holds that, since the Wagner act is the law and forbids coercion, the Labor Board is right in charging Henry Ford with violating the law when he speaks out on the subject of unions. No question of freedom of speech is involved, it is urged, but simply a question of interpreting the law; labor needs such legal reinforcement in order to equalize its power with that of employers.

Head on with this idea clashes the conviction that freedom of speech is freedom of speech, whether Henry Ford's or John Lewis', that to forbid a man freedom of speech because he occupies a certain economic position is iniquitous. This theory points out the danger of allowing any federal board to stake out any subject whatsoever and to forbid 100-per-cent open, free public discussion of that subject by anyone at any time or place. To allow a government, by law or otherwise, to sort out permissible subjects for discussion is to permit the first step away from democracy. If labor needs reinforcement to equalize its position with that of its employers, let the reinforcement take the form of increased propaganda, of more and wider free speech by labor; but on no account resort to suppression of anyone's opinion.

The two views are most interesting because of their implications.

Those who would censor free speech when they believe it amounts to coercion are primarily concerned over the status of labor; they want labor to improve its position. They are, in essence, social repair men, anxious to rebuild society on fairer lines.

Those who with equal passion urge that freedom of expression is for every one of us; that, if such freedom does seem to injure one group or another, the injury is temporary and desirable in comparison with impairment of the civil liberties — these persons are moved by loyalty primarily to the civil liberties. They would establish a principle today in order that it may protect all mankind tomorrow.

The Civil Liberties Union has met this issue. In the summer of 1938, the Union made representations to the National Labor Relations Board, pointing out that the NLRB finding in the Ford case left reasonable doubt as to the status of the employer's freedom of speech. The Union asked permission to have its own representative at the hearings of the case, in order to present a brief on the civil-liberties issue involved.

This was a step of first-rate significance, not only in the administration of the Wagner act but in the protection of civil liberties. Too, it was a clear reply to those who charge that the Civil Liberties Union defends only reds. Henry Ford is scarcely a hireling of Stalin.

In several other findings of the Labor Board, the Civil Liberties Union has taken a different stand.

Notable among them was the case of the Muskin Shoe Company, in which the NLRB rebuked the company for circulating among its employees a pamphlet, denouncing the C.I.O.,

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which consisted largely of extracts from a congressional speech by Representative Clare Hoffman. Here the Civil Liberties Union held that it need not join issue with the Labor Board because the Labor Board had laid no restrictions on any future utterances, had only disapproved a past utterance.

Technically right in a narrow legal sense, the Union erred in this. If a government board says to you, "You were wrong in mentioning high taxes yesterday," you readily understand that, if you mention high taxes tomorrow, you will have trouble with that board. The Civil Liberties Union should be so sensitive to impairment of civil liberties from any direction that it would bristle instantly. It should at once deny the right of any governmental board to comment at all on the legality of any person's expression of opinion.

It should, specifically, condemn the Labor Board when the latter says that an employer must not "disparage" labor unions. *To disparage* means to speak lightly of. The Civil Liberties Union has upheld the right of free thinkers to speak lightly of God, and it may properly be expected to uphold the same freedom for other human beings discussing less vital subjects.

Despite an occasional lapse, however, the thoughtful student of our democracy can find few pieces of work more worth doing than the work the Civil Liberties Union has undertaken for the past twenty years. If some quarrel with the way the Union does that work, it is because they feel it is too radical. Those persons should themselves enlist actively in the fight and thereby add their own more conservative element. It is a fact that criticism of the Union has come most frequently from extreme conservatives; it is a parallel fact that extreme conservatives have taken no share in defending the civil liberties. Defended they must be, and, if nobody but liberals and radicals is willing to undertake that defense, it ill becomes the shirking conservatives to complain.

Get out your copy of the Constitution and refresh your mind on your bill of rights. It is those brief paragraphs which keep us free men.

In an early issue:
"The Press Can Do No Wrong,"
by H. L. Smith

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Europe as It Is Today

Sixteen years of bitter history, culminating in the partition of Czechoslovakia, have vindicated these prophecies of the late Otto H. Kahn, first published in THE FORUM *for September, 1922. The Editors believe that recent world events have made them worth rereading. It may be noted that the writer was a German-born Jew, the son of naturalized American parents who had returned to their native land before his birth.*

by OTTO H. KAHN

Condensed from THE FORUM for September, 1922

EVER SINCE, in the spring of 1919, the proposed principal conditions of the peace treaty became known, I have done what was within my feeble capacity to advocate reconsideration or mitigation of certain aspects, and to point out the grave results inevitably bound to follow insistence upon, and attempted realization of, these conditions. The course of events has borne out, only too fully, these predictions. No more shortsighted and destructive "settlement" was ever inflicted upon the world, from the point of view alike of friend and foe, than the so-called peace treaties with Germany, Austria, Turkey, Hungary and Bulgaria.

I had occasion, during my stay in Europe, to visit Austria. Whatever the degree of punishment and atonement justly due for the crime of their Government in unchaining the war, nothing more tragic can be imagined than the utter misery of that gifted and amiable people who have been one of the civilizing forces among the nations, and to whom the world owes so much in the field of science, music and literature. It is appalling to contemplate, especially, the dreadful conditions among the middle classes, their semi-starvation and, in some cases, actual starvation.

Forced, by the treaty of St. Germain, into economically almost impossible frontiers, hampered and crippled by its terms (even though some of these have since been mitigated or suspended) the Austrian people are singled out, less, really, by design than by bungling on the part of the treaty makers, for particularly cruel and hopeless suffering. Forbidden, in defiance of the famous doctrine of self-determination, to measurably relieve their economic conditions by affiliation with their neighbor, Germany — a prohibition defensible in itself, but vitiated by a treaty which has rendered Austria impotent to stand alone; harassed, humiliated and maltreated by other adjoining states on whom they depend for their trade and for some of the very necessities of existence, they are deprived even of the possibility of escape from their wretchedness by emigration, because they cannot afford the means to emigrate over-seas, and the doors of the neighboring Danube States are closed to them. At the same time, millions of their brothers — again in defiance of that assumedly sacrosanct doctrine of self-determination — have been torn away from their Austrian allegiance and placed under the domination of Czecho-Slovaks, Roumanians or Italians.

And yet there are still persons of professedly liberal tendencies to be found in America, who prate about the "liberal" spirit of the peace treaties and who unctuously give thanks that the treaty-makers of Versailles, St. Germain, Sèvres, etc., departed so beneficently from the ways of old diplomacy. Presumably, such defenders are not fully acquainted either with the general purport of these treaties, their deviation from solemn declarations repeatedly made during the war by the allied spokesmen, their non-conformance to the plighted faith of the armistice terms, or the calculated meanness of their details.

The tragedy is that President Wilson had both the true vision of a wise and just peace and the power to enforce it, but failed deplorably in realizing that vision.

Such as Europe is today, America has been a strong factor to make her, through our participation in the war and through President Wilson's part in the peace negotiations. We cannot, in decency or in wisdom, disregard that responsibility. The European nations — both

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our comrades in the war and our former enemies — have confidence in our disinterestedness and well-meaningness. They urgently need and ask our co-operation, less even in a material sense, than as helpful counsellors and guides. It seems to me both our duty and our advantage to heed that call.

That does not mean giving up our enviable position of freedom from entanglements in Europe. I have always been opposed, and am opposed now, to our joining the League of Nations in the form and meaning in which it came to us from Versailles. The League ought to have been a matter of growth, of evolution, of elastic adaptability, instead of the rigid, cumbersome, pedantic, complex code which, by the fiat of a few men, emerged from the conclave in Paris in the summer of 1919. It ought to have been entirely separate and distinct from the war-settlement, instead of being made an instrument to guarantee and execute ill-conceived peace terms.

Owing to the inherent faultiness of its conception and the disingenuousness which taints its very creation, it has proved itself impotent to deal with the most pressing and vital problems for which the world craves a remedy, and to aid, even measurably, in bringing about that spirit and fact of peace and settlement and fairness and reconciliation among nations, which it was ostensibly destined to promote. In the single important matter which it was called upon to adjudicate since it came into being, i.e., the settlement of the German-Silesian frontier, its proceedings and verdict are open to question on the score of the method of procedure and of judicial impartiality.

Venturing, in all modesty, to offer some constructive suggestions, I would say that what it seems to me we could and should do, consistent with American traditional policies, with the spirit of the verdict of the last Presidential election and with altruism, duty and self-interest, is this:

1. I believe it would be well if we were officially represented on the Reparations Commission (on which we have always had, and now have, an admirably qualified but unofficial delegate) and on kindred commissions destined to settle controversial questions and to aid the recuperation of Europe, *but involving no tangible commitment to America.*

2. While opposed to our joining the League of Nations in its present form, I wonder whether we could see our way — with all due reservations — to being represented informally and unofficially in the meetings of the League of Nations and its various committees. It is conceivable that from such contact there might result such a readjustment of the constitution and nature of the League as to give it the character of an association with which we should be justified in establishing official connection.

3. We should deal in a large-visioned and liberal manner with the debts due us from the Allied nations. We might begin, it seems to me, by discriminating between, on the one hand, the advances made by us for direct war-making purposes and, on the other hand, those used otherwise during the war and those made after the armistice. I would utilize at least the first portion of those debts to aid in bringing about that change of attitude and conditions in Europe, which is indispensable if the world is to be again on an even keel. I would not relinquish any of our claims as a free gift but only in consideration of, and in return for, measures leading to the elimination, as far as possible, or at least the prompt and essential mitigation, of the circumstances and conditions which keep Europe in unsettledness and turmoil.

I feel convinced that such a bargain would be a good and profitable investment and would not only result in securing a valuable moral asset for America, but would be of distinct material benefit to us. The purchasing power of the European market may not, for a certain length of time, be wholly indispensable to our manufacturers — though it undoubtedly is to some of them — but it is absolutely indispensable to the prosperity of our farmers, because they have no other market for their surplus.

These reciprocal debts and claims, in their undiminished magnitude, hang like a millstone round the neck of Europe. Their effect, unless the situation is alleviated, will be progressively troublesome to all nations concerned, the claimants only less than the debtors.

I realize that this is a problem from tackling which the timidity and opportunism of the political mind recoils. It calls for the pressure of enlightened public opinion. I am convinced, that the American people will be in favor of generous action. To aid in restoring the consuming and purchasing power of Europe, is to aid the prosperity of America.

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The Artist's Point of View

Some Thoughts about Christmas Cards

On my desk, as I write, lie two Christmas cards. Both were sent me last Christmas by supposed friends.

One card represents a gesture of real friendship and warms the "cockles of my heart." The picture on the front of this card is a reproduction of an important painting by a genuine contemporary artist. On the inside leaf, which came blank from the printer, is written a friendly message: *Hello Ralph. My family wants to see your family again. When does that event happen? Merry Christmas. Bob.* There is nothing printed on the card which says *Christmas* either in picture or words.

The other card I can think of as nothing else but a personal affront. It leaves me cold, puzzled, and not a little hurt. It is from one who had been friendly in the past but from whom I had not heard for a couple of years. It has a Christmassy snow landscape on the cover, and inside is printed in fancy type: Best Wishes for a Merry Christmas and Happy New Year. Below this is written in long-hand: *Mr. and Mrs. Charles Brown.*

Both cards cost approximately ten cents, of that I am sure. Why am I pleased by the one and hurt by the other?

The first card has the intrinsic value of showing a genuine work of art by a leading artist of my own time. I value that work — so I value the gift. I am pleased that my friend knew I should like it and took the trouble to find and send such a gift. I am also pleased that he took the trouble to write a personal message.

The second card says *Christmas* in picture and printed words but contradicts the spirit of Christmas as a message from one person to another. I know and everyone knows that such cards are printed in millions and sold in every corner store. The unwritten message the card brings me is unmistakable and runs something like this:

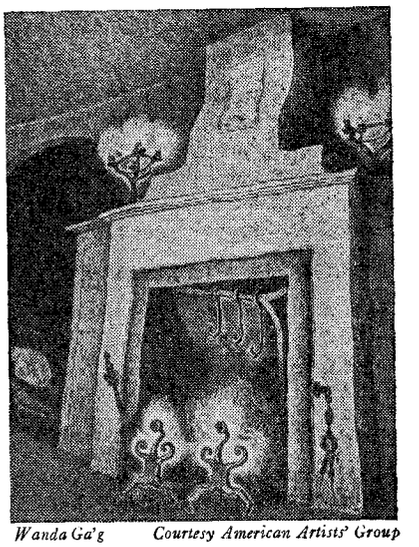
> Mr. Ralph M. Pearson, New York City: It is Christmas and I must do something about it for the people on my list of friends. I don't care enough about you to take any trouble whatever or to make your greeting different from all I send. So I have bought a batch of cards at the nearest store and stamped and addressed them. They cost me thirteen cents each. You aren't worth the trouble of writing *Hello, old top* in my own hand, but obviously I have to take the trouble of letting you know whom this Xmassy gift is from and so I have signed or had my secretary sign all the cards with *Mr. and Mrs. Charles Brown.* I hope you will appreciate the fact I have spent thirteen cents on you.

One card has nothing about Christmas on it but *is* the spirit of Christmas.

One has Christmas in picture and words all over it but *denies* the spirit of Christmas.

It is easy to surrender to commercialism and the conventional way. It is difficult to hunt out the noncommercial product not sold in every store and make appropriate selections for each friend. It is also difficult, perhaps, to write a personal greeting. Is Christmas worth this effort?

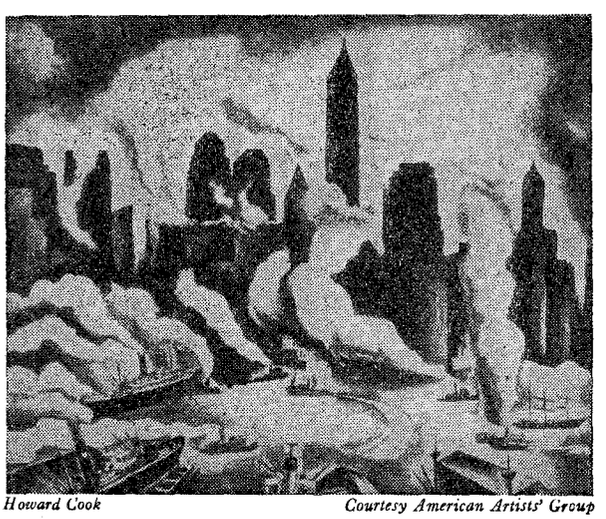
Ralph M. Pearson



Wanda Ga'g *Courtesy American Artists' Group*

Fireplace

The artist recreates a conventional subject.



Howard Cook *Courtesy American Artists' Group*

Harbor Skyline

Here the artist's work in reproduction becomes a Christmas gift.

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A Page for Poets

Conducted by Henry Goddard Leach

Former President, Poetry Society of America

Copious volumes of new verse presented by our more venerable publishing houses this autumn give a gay impression of vigor and variety. Young poets are budding fresher fantasies and at the same time taking deeper root.

A — Poetry of Permanence

Poems to Vera, by George Sterling (Oxford, $2.00). Flawless love poems perfectly typed by America's master printer, D. B. Updike.

B — Poetry of Distinction

The Five-fold Mesh, by Ben Belitt (Knopf, $2.00). A confident herald of a possible renaissance.

A Glad Day, by Kay Boyle (New Directions, $2.00). Left-wing, intellectual, and fairly "dirty."

At Midnight on the 31st of March, by Josephine Young Case (Houghton, Mifflin, $2.00). A completely novel narrative poem of a village cut off miraculously from the outside world.

Maine Ballads, by Robert P. Tristram Coffin (Macmillan, $1.75). Authentic and understated Americana.

Lee in the Mountains, by Donald Davidson (Houghton, Mifflin, $2.00). Authentic American verse of the Confederacy.

Memory and Other Poems, by Walter de la Mare (Holt, $2.00). Alluringly eerie but normal.

Hawk on the Wind, by August Derleth (Ritten House, $2.00). Another new poet of realistic observation. Airplanes soar against the stars, and a screech owl calls from apple boughs.

Valhalla and Other Poems, by Robert Francis (Macmillan, $2.00). The New England mind of Robert Francis is tragic but reconciled. The long narrative poem in this book describes the disintegration of a family happy on its isolated hilltop farm.

The Planets, by Alfred Kreymborg (Farrar & Rinehart, $1.25). A cosmic plea for peace in the form of a radio drama.

Concerning the Young, by Willard Maas (Farrar & Rinehart, $2.00). Left-wing but still virile and not without hope. "The young having died, the old seek atonement."

The Carnival, by Frederic Prokosch (Harper, $2.00). Noble pleas for the quiet anchorage of personal joy in a cosmos of jitters.

Trial of a Judge, by Stephen Spender (Random House, $1.50). An indictment of Nazi tyranny in a distinguished left-wing poetic drama.

7 Men, by Boris Todrin (Putnam, $2.00). A poet's poet.

The Fox of Peapack, by E. B. White (Harper, $2.00). Inimitable humor that makes the commonplace seem important and disaster ridiculous.

Fire Against the Sky, by Irene Wilde (Liveright, $2.00). A new poet; pure poetry, almost flaming poetry.

Testament of Love, by Audrey Wurdemann (Harper, $2.00). Love in marriage on a high plane of both intelligence and simplicity.

C — Verse of Merit

Last Parade, by Herbert Bruncken (Prairie, $1.75). Modern, wistfully passionate; superb bookmanship.

Remembered Journey, by Isabel Fiske Conant (Kaleidograph, $1.50). Precise and lovely artistry.

Poems, by Le Baron Cooke (Humphries, $2.00). Epigrams for lovers of brevity.

The Garden of Disorder, by Charles Henri Ford (New Directions, $2.00). Sardonic left-wing humor supported by rhyme.

Work Ends at Nightfall, by Marjorie Hillis (Bobbs-Merrill, $1.50). Affectionate solace for the working girl.

Filly the Niece of Martingale, by Helen Kirby (Dutton, $2.00). Quatrains and drawings — high mirth at the expense of the Junior League.

White Thunder, by Dane Rudhyar (Hazel Dreis Editions). A symphony of exalted verse and bookmaking.

The Name of Life, by Marjorie Allen Seiffert (Scribner, $2.00). Always gay and never too serious.

Barefoot and the Friendly Road, by Jack Tinker (Viking, $1.00). Pictures and verse make a pleasant gift book.

Of Life and Love, by Agnes Sheffield Welch (Humphries, $1.75). The discipline of beauty.

Anthologies

Immortal Lyrics, edited by Hudson Strode (Random House, $2.50). This is a new historical anthology of English lyric poetry selected by contemporary taste. Generously represented are "early anonymous," Shakespeare, Donne, Herrick, Blake, and Housman.

New Directions 1938, edited by James Laughlin IV (New Directions, $2.50). This is the left-wing anthology. No reader of verse can be contemporary without it.

Muse Anthology, edited by Dorothy Kissling and Arthur H. Nethercot (Straub). This magnificent magnum opus of contemporary poetry and critical tribute to Edgar Allan Poe proclaims the growing prestige of Poe as a poet of the ages. It contains, incidentally, all Poe's verse in its original form and historical material that will make the volume indispensable to students of Poe a thousand years hence. Our gratitude to Carlyle Straub, Lenora Lovell, Mary Brent Whiteside, and a score of others whose financial and artistic help have produced this memorial to the morning star of modern lyric poetry.

Other Titles

Where Fountains Play, by William Preston Bentley (Pyramid).

The Waxen Leaf, by Albert Brush (Wings, $1.50).

Ferinds Vale, by Calvin Wenner Diehl (Christopher, $1.00).

Along the Way, by Lawrence Downs (Pyramid).

Poetry Lane, by Laura Spofford Wiltsie Lake (Gayren, $1.50).

It Came to Pass, by Robert MacGowan (Poets, $3.00).

Old Bible History, by Homer B. Maddy (Pyramid).

Blind Man's Stick, by Sister Mariella, O.S.B. (Humphries, $1.50).

Facets of Yosemite, by Frances Osborne-Stallings (Hillis).

My Heart Sings, by Hope LeBar Roberts (Dorrance, $1.50).

An Amherst Garden, by Edna Davis Romig (Dorrance, $1.50).

What if the Spring —, by Grace Buchanan Sherwood (Kaleidograph, $1.50).

Memory's Brother, by G. Edward Smith (Dorrance, $1.50).

Child on a Mill-Farm, by Eleanor Glenn Wallis (Kaleidograph, $1.50).

Come Walk with Me, by Howard Murray Whitman (Dorrance, $1.50).

Poems, by Maude Lamb Wingate (Putnam, $2.00).

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THE RECORD REVIEW

BEETHOVEN: STRING QUARTET IN E FLAT (OPUS 127). Busch Quartet (Victor M, AM 489; 5 records, $10.00).

BEETHOVEN: STRING QUARTET IN A MINOR (OPUS 132). Busch Quartet (Victor M, AM 490; 6 records, $11.00).

MOZART: SONATA IN F MAJOR (K 377). Adolph Busch, violin, & Rudolph Serkin, piano (Victor records 15175–6; $4.00).

MOZART: CONCERTO IN C MAJOR (K 467). Artur Schnabel & London Symphony Orchestra, conducted by Malcolm Sargent (Victor M, AM 686; 4 records, $8.00).

MOZART: CONCERTO IN D MAJOR 'CORONATION' (K 537). Wanda Landowska, piano, & Chamber Orchestra, conducted by Walter Goehr (Victor M, AM 483; 4 records, $8.00).

MOZART: SYMPHONY IN B FLAT (K 319). Edwin Fischer & Chamber Orchestra (Victor M, AM 479; 3 records, $6.50).

BRAHMS: QUINTET FOR CLARINET AND STRINGS IN B MINOR. Busch Quartet, with Reginald Kell (Victor M, AM 491; 4 records, $8.00).

BLOCH: SONATE. Josef Gingold, violin, & Beryl Rubinstein, piano (Victor M, AM 498; 4 records, $5.75).

FRANCAIX: CONCERTO FOR PIANO AND ORCHESTRA. Jean Francaix & Paris Philharmonic Orchestra, conducted by Nadia Boulanger (Victor records 15114–5; $4.00).

BEETHOVEN'S last five quartets have been the subject matter of countless speculative and highly imaginative analytical discussions. Rather than add a few inept remarks about these epic utterances of one of the greatest men in history, I recommend what I think is the most searching and eloquent expression of their significance: those pages devoted to the last quartets in the late J. W. N. Sullivan's remarkable book, *Beethoven: His Spiritual Development*. Here one will find a beautiful, concise, and highly relevant analysis of these incomparable wonders.

We are indeed fortunate to have two more of the last five quartets now available in recordings by the Busch Quartet. Only such an ensemble has the intellectual capacity, insight, and nervous sympathy to identify itself with the thoughts and feelings inherent in the music, in order to reissue it as Beethoven meant to have it reissued.

Veritably, both Opus 127 and Opus 132 are among the miracles of music when played by the Busch Quartet. Allowing for minor mechanical imperfections in the records of the slow movement of Opus 132, these sets both provide an aesthetic experience that is priceless.

THERE can never be enough Mozart recorded, so far as I am concerned. Nor can there ever be enough of Adolph Busch's rare musicianship. Here in a delicious sonata, he collaborates with his equally gifted son-in-law, Rudolph Serkin, in a performance that sparkles and dances from start to finish. The playing is in excellent Mozart taste, and Serkin's pianism is something which is not easily forgotten. The records themselves are spacious and bright.

SOMEDAY I hope an anticadenza society will be formed. Nothing seems more incongruous than the impingement of anachronistic twentieth-century mannerisms on the music of Mozart, Beethoven, and others. Schnabel's and Landowska's cadenzas to the piano concertos which they here play are no exception to those inane moments which disrupt the unity of thought.

Schnabel's cadenza, though longer than Landowska's, is more tolerable because it is part of a performance that is otherwise splendidly Mozartean. Schnabel is universally known for his interpretations of Beethoven, but he plays Mozart as lyrically, gaily, and sensitively as he plays Beethoven with imagination and passion. The orchestral accompaniment is as modest as the demeanor of the soloist. And the Concerto is well recorded.

I WISH the same could be said for Landowska's performance of the "Coronation" Concerto. But she plays Mozart as if it were Chopin. Nothing could be more vexing. Her greatest aberrations occur in the slow movement, where apparently tempo markings must have no meaning. The first and last movements are more strictly in character with the score, but still the Mozart flavor is wanting. Perhaps Victor may ultimately re-record the Concerto, for its regal pages are among Mozart's finest. On an odd, Landowska plays the D-Minor Fantasia (K 397) as if it were a Chopin nocturne.

VICTOR lists the Symphony in B Flat as No. 32. According to the appendix

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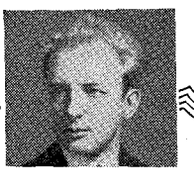

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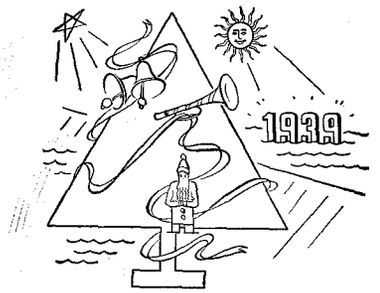

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INDEX
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The Record Review

to W. J. Turner's recent admirable book, *Mozart: The Man and His Works*, K 319 should be Symphony No. 33, if all the other numbers are correct. At any rate the B-Flat Symphony is not outstanding Mozart music. It is a joyous little tidbit like Nos. 25 and 29 (reviewed recently) and contains all the recognizable Mozart quirks; it is fresh and spontaneous but it needs more depth, more nobility and poignance to match the Prague Symphony and the great triad of the E Flat, G Minor and C Major "Jupiter."

Fischer's performance is spirited. His orchestra contains excellent strings and wood winds which, on the whole, stay in tune. This set will please Mozarteans, even though the recording is dull.

MANY observers conjectured that Benny Goodman would attempt the Brahms Quintet after his success with the Mozart Quintet. If he had any such intentions, they might as well be scrapped now. For the present set by Kell and the Busch Quartet is as satisfying as one would want.

This is Victor's first recording of the Quintet and surely the most ideal available. The music is of orchestral proportions, and the poetic, flawless performance is enchanting even to one who ordinarily finds much to question in Brahms.

BLOCH'S Sonata (composed in 1920) is intense, savage music, save for its paradoxically tender slow movement. Yet it is more arresting than many another contemporary work. Music with a barbaric appeal, it somehow has a soulful pleading, the plea which is inextricably woven with the strong racial feeling lying dormant in Bloch's heart. This music is not as consciously racial as the Symphony "Israel," but the power and mystery of the score is tainted by that marvelous quality of combined patience and longing which is indigenously Jewish. This is music not to be taken with a grain of salt. And it is well played and well recorded.

JEAN FRANCAIX is a lovable imp — or so one will think after listening to his miniature concerto. It is surprising for a contemporary Frenchman to be so conventional in the face of the dissonances of *Les Six*. But here is a young man with a delightful sense of humor and the same vitality in his piano playing as in his music. Mlle. Boulanger, one of the truly outstanding musicians of the day, gives him an auspicious accompaniment. I feel there is just enough of this music, for, like any joke, it must be terse, and a few bars more would transplant it from the realm of the delightful to the realm of the boorish.

ARTHUR WALLACE HEPNER

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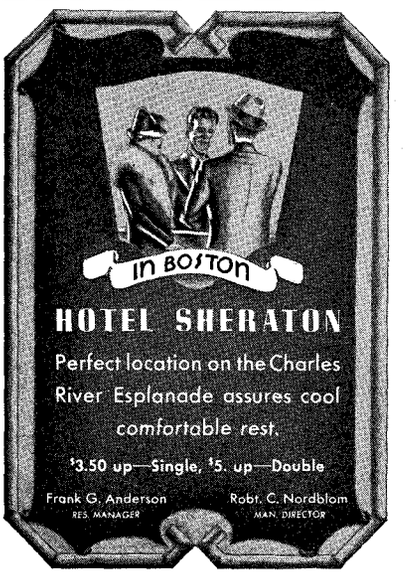

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Travel Briefs

by **HARRY J. PRICE**

Ross Skinner, of Cunard, steered us the other day to a beautiful model of Cunard's *Franconia,* which sails January 5 on a world cruise.

¶ He talked about Ceylon, on the *Franconia's* itinerary, a land of opalescent light and deep forests, high mountains and great valleys, once the domain of mighty kings. Anuradhapura, which dates from 400 B.C., was the capital of the entire island for more than 1,500 years.

¶ Colombo, the present capital and chief port, is a city of radiant color — white houses, red earth, blue sky, green palms, and, all around, beautiful flowers in a vast variety of bright hues.

¶ Black Town (the ancient Pettah) is one of the sights of Colombo. It teems with members of every Oriental race in every conceivable kind of garb — Hindus of all castes, Parsees, Tamils, Arabs, Afghans, Chinese, Kaffirs, and innumerable mixed bloods.

¶ "And, when you are in Colombo," Skinner finished, bringing us to a pitch of frustrated desire, "you must make the trip to Kandy, the former capital of Ceylon. The road to Kandy traverses some of the most magnificent scenery on earth. And in Kandy itself you will find the temple which enshrines Buddha's tooth and, three miles away, the marvelous botanical garden of Peradeniya."

Random Jottings

¶ The notebook informs us that the Suez Canal, connecting the Mediterranean and the Red Sea and supplying a short cut from Europe to the Far East, is 104 miles long. ⁊ Damascus, in Syria, the oldest city in the world, has a population of less than 200,000. ⁊ The Nile is 4,000 miles long. Its source has ever been cloaked in the darkness of interior Africa, but it is known to have its farthest headwaters in the Nyavolonga and the Akanyaru, headstreams of the River Kagera, which flows into the west side of the Victoria Nyanza. ⁊ The island of Puerto Rico was called Borinquen by the Indians who inhabited it before the advent of white men. ⁊ Venezuela, Trinidad, Martinique, and the Virgin Islands are ports of call on the *Aquitania's* Christmas-Eve-to-January-3 cruise. ⁊ The Arawak Indians, original inhabitants of Jamaica, had no agricultural implements. They burned the herbage of their dry savannas and stirred up the earth with short sticks. ⁊ The Pacific Ocean covers 71,000,000 square miles; the Atlantic, 34,000,000. The combined areas of Europe, Asia, Africa, Australia, and North and South America total only 51,000,000 square miles.

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A Letter from the Editor of CURRENT HISTORY

THE year 1938 will go down in history as marking the final and overwhelming destruction of the Versailles Treaty. Curiously, the capitulation by the World War victors to Hitler's demands in Czechoslovakia came exactly twenty years after the end of that war.

Hitler's groundwork for dismemberment of Czechoslovakia, to be sure, was laid over a period of years. But the direct, important events culminating in the German triumph at Munich were all crowded into a few short weeks. During that period, beginning with Hitler's Nuremberg speech and ending with the resignation of President Eduard Beneš of Czechoslovakia, Europe mobilized for another World War, the outbreak of which seemed inevitable several times. "Peace" was achieved at the eleventh hour and a world which had sucked its breath in horror was able to relax for the time being.

The record of all these historic events, the text of the speeches, official notes and documents, including the British White Papers, an account of an interview with President Beneš by Charles Hodges, full-page maps showing the new important changes in Czechoslovakia's boundaries, her raw materials, localities of her minority populations, industrial and agricultural areas — all are contained in the November issue of CURRENT HISTORY which features "The Dismemberment of Czechoslovakia."

The November CURRENT HISTORY is one of the most important and most valuable single issues of any American magazine in the last two decades. The maps alone should make the issue worth preserving as your own personal record of history-in-the-making. Because of the extreme interest which has already greeted this special issue of the magazine, the editors will be glad to send it free of charge, as long as the supply holds out, to all FORUM readers who take advantage of CURRENT HISTORY's special introductory offer of six months for one dollar.

Your dollar, then, in addition to bringing you America's foremost magazine of history-in-the-making for half a year, will bring you without charge the November CURRENT HISTORY. The saving on this offer is very substantial. CURRENT HISTORY regularly sells for $3 yearly or 25 cents for single copies.

M. E. TRACY

Please send me CURRENT HISTORY for six months in accordance with your special introductory offer. I enclose one dollar. I understand that I am to receive in addition, free of charge, the important November issue which contained the complete record of the dismemberment of Czechoslovakia, including full-page maps.

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CURRENT HISTORY

63 Park Row, New York, N. Y.

Forum Quiz Answers

(*see page 296*)

1. (b) *gone to live quietly in London. From Nazi Vienna.*
2. (c) *book by Anne Morrow Lindbergh. Harcourt, Brace, $2.50.*
3. (b) *Patty Berg.*
4. (b) *Swedish modern.*
5. (a) *strut; circle; stamp; and say, "hoy."*
6. (c) *For my unconquerable soul. If you MUST sing it.*
7. (c) *Edward R. Stettinius, Jr.*
8. (c) *the expropriation of American properties in Mexico.*
9. (c) *bon mot.*
10. (a) *Thomas Wolfe. Recently deceased.*
11. (c) *the stock market.*
12. (a) *heart disease.*
13. (c) *an I. W. W. song by Joe Hill.*
14. (b) *Simoniz.*
15. (c) *a rainbow in the sky. No title to this well-known poem, composed in 1802, published in 1807.*
16. (c) *Frank R. McNinch.*
17. (a) *a well-known book reviewer. For the "New Yorker."*
18. (b) *use Gem razor blades.*
19. (c) *provide people over fifty with $30 a week.*
20. (c) *the leader of a modern dance group.*
21. (b) *that he is doing it to maintain peace.*
22. (b) *improve construction and operation of county jails.*
23. (c) *Chicago. We were just trying to fool you.*
24. (c) *This hackle is a mighty pretty feather. Hackles are the feathers on a bird's neck.*
25. (a) *"You can tell even wilder stories, my dear." Queen Scheherazade was the mythical narrator of the Arabian Nights stories. We will also concede you 2½ points for answer (b), for being a good husband and because Rimski-Korsakov's opera, "Scheherazade," deals with an erring sultan's wife.*
26. (b) *a sash worn in place of a vest. With evening clothes, of course.*
27. (c) *General Pershing, after landing in France.*
28. (b) *He has been satrap of this province for years. Definition: the governor of a district or province.*
29. (b) *Jack London. Written by Irving Stone — Houghton, Mifflin, $3.00.*
30. (c) *Chesterfield cigarettes.*
31. (a) *Hammond.*
32. (a) *in-cog'-ni-to.*
33. (d) *Isaac Newton discovered the law of gravitation.*
34. (c) *"New Masses."*
35. (c) *Carl Van Doren.*
36. (a) *block booking.*
37. (b) *any number of birds, a flock.*
38. (c) *a Geneva banker named Henry Dunant. César Ritz was a hotelkeeper.*
39. (c) *Helen Hayes and Ben Hecht. Charles MacArthur is Miss Hayes's husband, and Hecht is his friend and collaborator.*
40. *All answers are right. Expect anything at a Hollywood party.*

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